



City of Hamilton
GENERAL ISSUES COMMITTEE REVISED

Meeting #: 19-023
Date: November 20, 2019
Time: 9:30 a.m.
Location: Council Chambers, Hamilton City Hall
71 Main Street West

Stephanie Paparella, Legislative Coordinator (905) 546-2424 ext. 3993

1. CEREMONIAL ACTIVITIES

2. APPROVAL OF AGENDA

(Added Items, if applicable, will be noted with *)

3. DECLARATIONS OF INTEREST

4. APPROVAL OF MINUTES OF PREVIOUS MEETINGS

4.1 October 30, 2019 - Special

4.2 November 6, 2019

5. COMMUNICATIONS

6. DELEGATION REQUESTS

7. CONSENT ITEMS

7.1 Revised Ottawa Street Business Improvement Area (BIA) Board of Management (PED19214) (Wards 3 and 4)

7.2 Revised International Village Business Improvement Area (BIA) Board of Management (PED19215) (Ward 2)

*7.3 MPAC Responses to Committees Questions and Concerns regarding Maintenance of the Voters List (from the September 9, 2019 GIC)

8. PUBLIC HEARINGS / DELEGATIONS

- 8.1 Bryan Ritskes, Harbour West Neighbours, respecting Items 1, 2 and 3 of the West Harbour Development Sub-Committee Report 19-003 (Item 10.1 on this agenda.) (no copy)
- 8.2 Herman Turkstra, respecting Items 1, 2 and 3 of the West Harbour Development Sub-Committee Report 19-003 (Item 10.1 on this agenda.)
- 8.3 Rob D'Amico and Stan Double, Hamilton Professional Firefighters Association, respecting Support for the Firefighter Memorial at Gage Park (no copy)

THIS DELEGATION WAS WITHDRAWN.

9. STAFF PRESENTATIONS

10. DISCUSSION ITEMS

- 10.1 West Harbour Development Sub-Committee Report 19-003, October 22, 2019
- 10.2 GRIDS 2 and Municipal Comprehensive Review – Consultation Update and Employment Land Review (PED17010(f)) (City Wide)

Due to its size, Appendix “C” to Report PED17010(f) is available on-line only.
- 10.3 Open for Business Sub-Committee Report 19-003

11. MOTIONS

12. NOTICES OF MOTION

- *12.1 Support for Private Members Bill to Reverse Pit Bull Ban in Ontario

13. GENERAL INFORMATION / OTHER BUSINESS

- 13.1 Items to be Referred:
 - 13.1.a HWDSB’s Facilities Master Plan and the HWDSB’s Budget Plan (Chair of HWDSB would prefer to appear before the HWDSB Liaison Committee rather than GIC.)
- 13.2 Items to be Removed:
 - 13.2.a Review of HWDSB Proposal – Annual Maximum Payment Amount for the Acquisition of School Board Property (Addressed as Item 10.3 on the November 6, 2019 GIC Agenda – HWDSB Liaison Committee Report 19-003)

- 13.2.b Hamilton 100's Hosting Proposal (Part 2) (Addressed as Item 9.1 on the November 6, 2019 GIC Agenda – Report PED19108(b))
- 13.2.c 2020 Budget Outlook – 3 Options (2%, 1% and 0%) (Addressed as Item 6.1 on the Special GIC Agenda of October 30, 2019 – Report FCS19054(a))
- 13.2.d Hate Incident Prevention Policy and Procedure (Addressed as Item 10.9 on the October 16, 2019 GIC Agenda – Report LS19031/PW19068(a)/CM19006(a))
- 13.2.e Hate Incident Reporting (Addressed as Item 10.9 on the October 16, 2019 GIC Agenda – Report LS19031/PW19068(a)/CM19006(a))
- 13.2.f Alternative Funding Strategy for Transit (Addressed as Item 9.1 on the October 2, 2019 GIC Agenda – Report (PW19083/FCS18048(a))
- 13.2.g Potential changes to the guidelines and criteria for the Barton/Kenilworth Tax Increment Grant Program; the Barton/Kenilworth Commercial Corridor Building Improvement Grant Program;

the Barton/Kenilworth Commercial Planning and Building Fee Rebate Program; the Commercial Corridor Housing Loan and Grant Program; and, the Hamilton Tax Increment Grant Program (Addressed as Item 10.3 on the October 2, 2019 GIC Agenda – Report PED19178/HSC19052)
- 13.3 Proposed New Due Dates:
 - 13.3.a City-Wide Stormwater Rate Program Review

Current Due Date: October 16, 2019

Proposed New Due Date: December 4, 2019
 - 13.3.b Community Benefits Protocol Advisory Committee – Terms of Reference

Current Due Date: October 16, 2019

Proposed New Due Date: December 4, 2019
 - 13.3.c Development of Departmental Climate Change Workplans within the City of Hamilton

Current Due Date: November 20, 2019

Proposed New Due Date: December 4, 2019

- 13.3.d Corporate-Wide Climate Change Adaptation and Mitigation Climate Workplan – Quarterly Update
Current Due Date: November 20, 2019
Proposed New Due Date: December 4, 2019
- 13.3.e Outline of the Costs of the Exclusions Outlined in Report PW18064 (AODA)
Current Due Date: September 18, 2019
Proposed New Due Date: March 25, 2020
- 13.3.f Code of Conduct for Council-Appointed Citizen Members of External Boards and Agencies
Current Due Date: September 18, 2019
Proposed New Due Date: February 19, 2020
- 13.3.g Corporate Strategic Growth Initiatives – Annual Update
Current Due Date: October 2, 2019
Proposed New Due Date: March 25, 2020
- 13.3.h Establishing a Gender & Equity Lens on Housing Services
Current Due Date: September 18, 2019
Proposed New Due Date: June 17, 2020
- 13.3.i Pending Litigation Matters & Associated Liabilities
Current Due Date: August 12, 2019
*Proposed New Due Date: January 15, 2020
- 13.3.j Revenue Enhancement Opportunities at the John C. Munro International Airport
Current Due Date: December 4, 2019
Proposed New Due Date: March 25, 2020
- 13.3.k Pier 8 Development Opportunity RFP – Summary of the 4 Proposals
Current Due Date: November 20, 2019
Proposed New Due Date: February 19, 2020

14. PRIVATE AND CONFIDENTIAL

14.1 Closed Session Minutes - November 6, 2019

Pursuant to Section 8.1, Sub-sections (c), (d), (e), (f) and (k) of the City's Procedural By-law 18-270; and, Section 239(2), Sub-sections (c), (d), (e), (f) and (k) of the *Ontario Municipal Act*, 2001; as amended, as the subject matters pertain to a proposed or pending acquisition or disposition of land for City purposes; Labour relations or employee negotiations; litigation or potential litigation including matters before administrative tribunals, affecting the municipality or local board; the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose; and, a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board.

14.2 Maintenance Services at Macassa and Wentworth Lodges (HSC19062/PW19092) (Wards 7 and 13)

Pursuant to Section 8.1, Sub-section (d) of the City's Procedural By-law 18-270; and, Section 239(2), Sub-section (d) of the *Ontario Municipal Act*, 2001; as amended, as the subject matter pertains to Labour relations or employee negotiations.

*14.3 Potential Regulatory Litigation (no copy)

Pursuant to Section 8.1, Sub-sections (e), (f) and (k) of the City's Procedural By-law 18-270; and, Section 239(2), Sub-sections (e), (f) and (k) of the *Ontario Municipal Act*, 2001, as amended, as the subject matter pertains to litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; advice that is subject to solicitor-client privilege, including communications necessary for that purpose; a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board. 2001, c. 25, s. 239 (2); 2017, c. 10, Sched. 1, s. 26.

15. ADJOURNMENT



SPECIAL GENERAL ISSUES COMMITTEE MINUTES 19-022

9:30 a.m.

Wednesday, October 30, 2019

Council Chambers

Hamilton City Hall

71 Main Street West

Present: Mayor F. Eisenberger, Acting Deputy Mayor B. Johnson (Chair)
Councillors M. Wilson, J. Farr, N. Nann, S. Merulla, C. Collins,
T. Jackson, E. Pauls, J.P. Danko, B. Clark, M. Pearson, A. VanderBeek

Absent: Councillors L. Ferguson, J. Partridge, T. Whitehead – Personal

THE FOLLOWING ITEMS WERE REFERRED TO COUNCIL FOR CONSIDERATION:

1. 2020 Updated Tax Supported Operating Budget Outlook and Mitigation Options (FCS19054(a)) (City Wide) (Item 6.1)

(Nann/VanderBeek)

That Report FCS19054(a) - 2020 Updated Tax Supported Operating Budget Outlook and Mitigation Options, be received.

CARRIED

FOR INFORMATION:

(a) APPROVAL OF AGENDA (Item 2)

The Committee Clerk advised that there were no changes to the agenda.

(Farr/Nann)

That the agenda for the October 30, 2019 Special General Issues Committee meeting, be approved, as presented.

Result: Motion CARRIED by a vote of 9 to 0, as follows:

YES - Ward 1 Councillor Maureen Wilson

YES - Ward 2 Councillor Jason Farr

YES - Ward 3 Councillor Nrinder Nann

YES - Ward 4 Councillor Sam Merulla

NOT PRESENT - Ward 5 Councillor Chad Collins

NOT PRESENT - Ward 6 Councillor Tom Jackson

YES - Ward 7 Councillor Esther Pauls

YES - Ward 8 Councillor John-Paul Danko
 YES - Chair - Ward 11 Councillor Brenda Johnson
 NOT PRESENT - Mayor Fred Eisenberger
 NOT PRESENT - Ward 15 Councillor Judi Partridge
 NOT PRESENT - Ward 14 Councillor Terry Whitehead
 NOT PRESENT - Ward 13 Councillor Arlene VanderBeek
 NOT PRESENT - Ward 12 Councillor Lloyd Ferguson
 YES - Ward 10 Councillor Maria Pearson
 YES - Ward 9 Councillor Brad Clark

(b) DECLARATIONS OF INTEREST (Item 3)

There were no declarations of interest.

(c) STAFF PRESENTATIONS (Item 6)

(i) 2020 Updated Tax Supported Operating Budget Outlook and Mitigation Options (FCS19054(a)) (City Wide) (Item 6.1)

Mike Zegarac, General Manager, Finance & Corporate Services, addressed Committee and provided a PowerPoint presentation respecting Report FCS19054(a) - 2020 Updated Tax Supported Operating Budget Outlook and Mitigation Options.

(Pauls/Collins)

That the presentation, respecting Report FCS19054(a) - 2020 Updated Tax Supported Operating Budget Outlook and Mitigation Options, be received.

CARRIED

A copy of the presentation is available on the City's web site at www.hamilton.ca or through the Office of the City Clerk.

For disposition of this matter, please refer to Item 1.

(d) MOTIONS (Item 7)

(i) Possibility of Additional Revenue Tools (Item 7.1)

(Eisenberger/Wilson)

That staff be directed to ask the Province if the revenue tools provided to the City of Toronto are available to other municipalities and report back to the General Issues Committee.

Result: Motion DEFEATED by a vote of 7 to 6, as follows:

YES - Ward 1 Councillor Maureen Wilson
NO - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
NO - Ward 5 Councillor Chad Collins
NO - Ward 6 Councillor Tom Jackson
NO - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Chair - Ward 11 Councillor Brenda Johnson
YES - Mayor Fred Eisenberger
NOT PRESENT - Ward 15 Councillor Judi Partridge
NOT PRESENT - Ward 14 Councillor Terry Whitehead
NO - Ward 13 Councillor Arlene VanderBeeck
NOT PRESENT - Ward 12 Councillor Lloyd Ferguson
NO - Ward 10 Councillor Maria Pearson
NO - Ward 9 Councillor Brad Clark

(e) ADJOURNMENT (Item 10)

(Clark/Pearson)

That there being no further business, the General Issues Committee be adjourned at 12:50 p.m.

CARRIED

Respectfully submitted,

Acting Deputy Mayor, B. Johnson
Chair, General Issues Committee

Stephanie Paparella
Legislative Coordinator,
Office of the City Clerk



GENERAL ISSUES COMMITTEE MINUTES 19-023

9:30 a.m.

Wednesday, November 6, 2019

Council Chambers

Hamilton City Hall

71 Main Street West

Present: Mayor F. Eisenberger, Deputy Mayor M. Wilson (Chair)
Councillors J. Farr, N. Nann, S. Merulla, C. Collins, T. Jackson,
E. Pauls, J. P. Danko, M. Pearson, B. Johnson, A. VanderBeek,
T. Whitehead, J. Partridge

Absent: Councillor B. Clark, L. Ferguson – Personal

THE FOLLOWING ITEMS WERE REFERRED TO COUNCIL FOR CONSIDERATION:

1. GRIDS2 and the Municipal Comprehensive Review – Council Workshop (PED17010(e) (City Wide) (Item 7.2)

(Partridge/Merulla)

That Report PED17010(e), respecting GRIDS2 and the Municipal Comprehensive Review – Council Workshop, be received.

CARRIED

2. Commonwealth Games 2030 (PED19108(b)) (City Wide) (Item 9.1)

(Eisenberger/Jackson)

(a) That, as it is Council's unfettered right and discretion to designate **up to four** elected officials to serve as the City's representative(s) on the Hamilton100 Committee, as per the Memorandum of Understanding between the City of Hamilton and the Hamilton100 Commonwealth Games Bid Corporation, **up to four** members of Council be appointed to the Committee;

(b) That the Memorandum of Understanding between the City of Hamilton and the Hamilton100 Commonwealth Games Bid Corporation, respecting the 2030 Commonwealth Games Bid, be amended to allow Hamilton100 to prepare, organize, facilitate, coordinate and finance, in its entirety, a Hosting Proposal (Part 2), **and to include up to four members of Council to serve as Committee members**, in a form satisfactory to the General Manager of Finance and Corporate Services and City the Solicitor;

- (c) That, subject to Commonwealth Games Canada inviting Hamilton100 to prepare and submit a Hosting Proposal (Part 2), staff be directed to report back to General Issues Committee to seek support for the Hamilton100 Commonwealth Games Bid Corporation to proceed with the Hosting Proposal (Part 2), with that report to include any internal resources required to support the development of a Multi-Party Agreement; and,
- (d) ***That the following Councillors be appointed to participate on the Hamilton100 Committee with respect to the 2030 Commonwealth Games:***
- (i) ***Terry Whitehead;***
- (ii) ***Judi Partridge; and,***
- (iii) ***Esther Pauls.***

Result: Main Motion, As Amended, CARRIED by a vote of 12 to 0, as follows:

YES - Ward 2 Councillor Jason Farr
 YES - Ward 3 Councillor Nrinder Nann
 YES - Ward 4 Councillor Sam Merulla
 YES - Ward 5 Councillor Chad Collins
 YES - Ward 6 Councillor Tom Jackson
 YES - Ward 7 Councillor Esther Pauls
 YES - Ward 8 Councillor John-Paul Danko
 YES - Chair - Ward 1 Councillor Maureen Wilson
 YES - Mayor Fred Eisenberger
 YES - Ward 15 Councillor Judi Partridge
 YES - Ward 14 Councillor Terry Whitehead
 NOT PRESENT - Ward 13 Councillor Arlene VanderBeek
 NOT PRESENT - Ward 12 Councillor Lloyd Ferguson
 NOT PRESENT - Ward 11 Councillor Brenda Johnson
 YES - Ward 10 Councillor Maria Pearson
 NOT PRESENT - Ward 9 Councillor Brad Clark

3. Business Improvement Area Advisory Committee Report 19-010, October 8, 2019 (Item 10.1)

(Partridge/Whitehead)

(a) Locke Street Business Improvement Area Expenditure Request (Item 11.1)

That the expenditure request from the Locke Street Business Improvement Area, in the amount of \$2,699.36 for a Street Party, to be funded from the Community Improvement Plan (CIP) Contribution Program (BIA Payments Account 815010-56905), be approved.

(b) Barton Village Business Improvement Area Expenditure Request (Added Item 11.2)

- (i) That the expenditure request from the Barton Village Business Improvement Area, in the amount of \$6,233.41 for Beautification (\$3,233.41) and Office Equipment (\$3,000), to be funded from the Community Improvement Plan (CIP) Contribution Program (BIA Payments Account 815010-56905), be approved; and,
- (ii) That the expenditure request from the Barton Village Business Improvement Area, in the amount of \$11,184.32 for the costs of our events throughout the year, to be funded from the Shared Parking Revenue Program (Parking Revenue Account 815010-45559), be approved.

(c) Ancaster Business Improvement Area Expenditure Request (Added Item 11.3)

That the expenditure request from the Ancaster Business Improvement Area, in the amount of \$5,939.02 for the costs of Banners, Beatification (weeding), Promotion of the BIA and Events and Event Costs, to be funded from the Shared Parking Revenue Program (Parking Revenue Account 815010-45559), be approved.

Result: Motion CARRIED by a vote of 12 to 0, as follows:

- YES - Ward 2 Councillor Jason Farr
- YES - Ward 3 Councillor Nrinder Nann
- YES - Ward 4 Councillor Sam Merulla
- YES - Ward 5 Councillor Chad Collins
- YES - Ward 6 Councillor Tom Jackson
- YES - Ward 7 Councillor Esther Pauls
- YES - Ward 8 Councillor John-Paul Danko

YES - Chair - Ward 1 Councillor Maureen Wilson
 YES - Mayor Fred Eisenberger
 YES - Ward 15 Councillor Judi Partridge
 YES - Ward 14 Councillor Terry Whitehead
 NOT PRESENT - Ward 13 Councillor Arlene VanderBeek
 NOT PRESENT - Ward 12 Councillor Lloyd Ferguson
 NOT PRESENT - Ward 11 Councillor Brenda Johnson
 YES - Ward 10 Councillor Maria Pearson
 NOT PRESENT - Ward 9 Councillor Brad Clark

**4. Hamilton Future Fund Board of Governors Report 19-003, October 8, 2019
(Item 10.2)**

(Eisenberger/Pauls)

(a) Hamilton Future Fund Grant Process Review (Item 10.1)

- (i) That a Grant Process Review Working Group of the Hamilton Future Fund Board of Governors be established to develop clear criteria and eligibility guidelines for applicants and a scoring mechanism with a point system for adjudication of applications;
- (ii) That the Grant Process Review Working Group of the Hamilton Future Fund Board of Governors be comprised of the following individuals:
 - (1) Councillor Nrinder Nann
 - (2) Councillor Arlene VanderBeek
 - (3) Tara Crugnale
 - (4) Gerry Davis
 - (5) Megan Dickson
 - (6) John Kirkpatrick
 - (7) Anthony Macaluso
 - (8) Sonja Macdonald
- (c) That the Grant Process Review Working Group report back to the Hamilton Future Fund Board of Governors at the next meeting in January 2020 with their recommendations.

Result: Motion CARRIED by a vote of 12 to 0, as follows:

YES - Ward 2 Councillor Jason Farr
 YES - Ward 3 Councillor Nrinder Nann
 YES - Ward 4 Councillor Sam Merulla
 YES - Ward 5 Councillor Chad Collins
 YES - Ward 6 Councillor Tom Jackson

YES - Ward 7 Councillor Esther Pauls
 YES - Ward 8 Councillor John-Paul Danko
 YES - Chair - Ward 1 Councillor Maureen Wilson
 YES - Mayor Fred Eisenberger
 YES - Ward 15 Councillor Judi Partridge
 YES - Ward 14 Councillor Terry Whitehead
 NOT PRESENT - Ward 13 Councillor Arlene VanderBeeck
 NOT PRESENT - Ward 12 Councillor Lloyd Ferguson
 NOT PRESENT - Ward 11 Councillor Brenda Johnson
 YES - Ward 10 Councillor Maria Pearson
 NOT PRESENT - Ward 9 Councillor Brad Clark

5. Hamilton-Wentworth District School Board Liaison Committee Report 19-003, October 10, 2019 (Item 10.3)

(Whitehead/Pearson)

(a) Hamilton-Wentworth District School Board, City of Hamilton Property Acquisition Financing (Joint City – Hamilton - Wentworth District School Board Report) (PED19145) (Item 10.1)

That Report PED19145, respecting Hamilton-Wentworth District School Board, City of Hamilton Property Acquisition Financing (Joint City - Hamilton - Wentworth District School Board Report), be received.

Result: Motion CARRIED by a vote of 12 to 0, as follows:

YES - Ward 2 Councillor Jason Farr
 YES - Ward 3 Councillor Nrinder Nann
 YES - Ward 4 Councillor Sam Merulla
 YES - Ward 5 Councillor Chad Collins
 YES - Ward 6 Councillor Tom Jackson
 YES - Ward 7 Councillor Esther Pauls
 YES - Ward 8 Councillor John-Paul Danko
 YES - Chair - Ward 1 Councillor Maureen Wilson
 YES - Mayor Fred Eisenberger
 YES - Ward 15 Councillor Judi Partridge
 YES - Ward 14 Councillor Terry Whitehead
 NOT PRESENT - Ward 13 Councillor Arlene VanderBeeck
 NOT PRESENT - Ward 12 Councillor Lloyd Ferguson
 NOT PRESENT - Ward 11 Councillor Brenda Johnson
 YES - Ward 10 Councillor Maria Pearson
 NOT PRESENT - Ward 9 Councillor Brad Clark

6. Disposition of City Owned Land – 488 Upper Wellington Street, Hamilton (PED19210) (Ward 8) (Item 10.4)

(Danko/Eisenberger)

- (a) That the Municipally owned lands known as 488 Upper Wellington Street, Hamilton, as further identified in Appendix “A” to Report PED19210 be declared surplus to the needs of the City for the purpose of sale;
- (b) That an Offer to Purchase (for the sale of City-owned property) municipally known as 488 Upper Wellington Street, Hamilton (attached as Appendix “A” to Report PED19210), scheduled to close on or before April 2, 2020, be approved, substantially in accordance with the terms and conditions outlined in Appendix “B” to Report PED19210, and such other terms and conditions deemed appropriate by the General Manager of the Planning and Economic Development Department;
- (c) That \$53,749.95 from the sale proceeds be credited to Account No. 45408-812036 (Property Sales and Purchases) for recovery of expenses including real estate, appraisal, property management, and legal administration;
- (d) That the balance of the sale proceeds be used to partially fund The Hamilton Police Investigative Services Division Headquarters as per (PSB-10-064c) (Council September 28, 2016) and be directed to Account No. 47702-3761241200 (Police Investigative Services Head Quarters);
- (e) That the City Solicitor be authorized and directed to complete the sale of 488 Upper Wellington Street, Hamilton, transaction on behalf of the City, including paying any necessary expenses, amending the closing, due diligence and other dates, and amending and waiving terms and conditions on such terms as the City Solicitor considers reasonable;
- (f) That the Mayor and City Clerk be authorized to execute any necessary documents respecting the sale of 488 Upper Wellington Street, Hamilton, in a form satisfactory to the City Solicitor; and,
- (g) That Appendix “B” attached to Report PED19210 respecting the property disposition of 488 Upper Wellington Street, Hamilton, remain confidential until completion of the real estate transaction.

Result: Motion CARRIED by a vote of 12 to 0, as follows:

YES - Ward 2 Councillor Jason Farr
 YES - Ward 3 Councillor Nrinder Nann
 YES - Ward 4 Councillor Sam Merulla
 YES - Ward 5 Councillor Chad Collins
 YES - Ward 6 Councillor Tom Jackson

YES - Ward 7 Councillor Esther Pauls
 YES - Ward 8 Councillor John-Paul Danko
 YES - Chair - Ward 1 Councillor Maureen Wilson
 YES - Mayor Fred Eisenberger
 YES - Ward 15 Councillor Judi Partridge
 YES - Ward 14 Councillor Terry Whitehead
 NOT PRESENT - Ward 13 Councillor Arlene VanderBeek
 NOT PRESENT - Ward 12 Councillor Lloyd Ferguson
 NOT PRESENT - Ward 11 Councillor Brenda Johnson
 YES - Ward 10 Councillor Maria Pearson
 NOT PRESENT - Ward 9 Councillor Brad Clark

7. Multi-Purpose Community Hub for Diverse and Marginalized Communities (Item 11.1)

(Nann/Wilson)

WHEREAS, according to StatsCan reports, Hamilton has the highest level of police reported hate crimes per capita in three of the last five years, while also recognizing not all hate crimes and incidents are reported to police;

WHEREAS, since December 2018 there have been weekly demonstrations held on the forecourt of Hamilton City Hall by extremist individuals and organizations using it as a platform to spread Islamophobic, homophobic, anti-immigrant, and anti-black racist views;

WHEREAS, this year residents have experienced hate-based violence and targeting at Pride, on personal properties, at mosques and on synagogues making communities feel less safe;

WHEREAS, responding to the rising levels of hate in the City of Hamilton requires an approach that includes empathy for lived experiences, clear policies and strategies to de-radicalize extremism, while also adequately resourcing and supporting the resilience of residents facing hate, and actively fostering a sense of solidarity and belonging across communities;

WHEREAS, the *Mapping the Void* report, released in 2019, surveyed over 900 people over the age of 16 who identified as Two-Spirit and LGBTQ+ in the City of Hamilton reporting 40.9% of respondents had sought services or community outside of Hamilton because they were either not available or sufficient in Hamilton;

WHEREAS, the City recognizes that in order to prevent and redress systemic and social inequities policies focused on equity, diversity and inclusion must guide service and programming provision;

WHEREAS, there is a gap in safe spaces, programs and services for Hamiltonians who have been historically marginalized and who have faced hate in their communities, and there remains a need to better resource community-informed and community-led initiatives that prioritize the needs of marginalized communities in our City;

WHEREAS, community groups play a critical role in meeting these needs and providing accessible and responsive supports and services;

WHEREAS, co-locating community groups increases access for residents while also fostering intersectional collaboration, strengthening integrated service and programming provision among community groups, and helps mitigate the impact of rising costs of operations; and,

WHEREAS, multi-purpose community hubs are demonstrated models in asset-based community development which provide excellence in meeting the needs of localized and marginalized communities;

THEREFORE, BE IT RESOLVED:

- (a) That staff be directed to convene with residents, community groups and organizations engaged in serving equity-seeking communities that are interested in collaborating to develop a business case for a multi-purpose community hub;
- (b) That the multi-purpose community hub aim to strengthen community capacity, resilience and responsiveness to address safer space, programming and service needs and gaps for historically marginalized communities; and,
- (c) That the business case for the creation of a “hub” include viable locations, possible sustainable funding sources, and a multi-year operations plan and report back to the General Issues Committee in Q2 2020 for review and consideration.

Result: Motion CARRIED by a vote of 12 to 0, as follows:

YES - Ward 2 Councillor Jason Farr
 YES - Ward 3 Councillor Nrinder Nann
 YES - Ward 4 Councillor Sam Merulla
 YES - Ward 5 Councillor Chad Collins
 YES - Ward 6 Councillor Tom Jackson
 YES - Ward 7 Councillor Esther Pauls
 YES - Ward 8 Councillor John-Paul Danko
 YES - Chair - Ward 1 Councillor Maureen Wilson
 YES - Mayor Fred Eisenberger
 YES - Ward 15 Councillor Judi Partridge

YES - Ward 14 Councillor Terry Whitehead
 NOT PRESENT - Ward 13 Councillor Arlene VanderBeek
 NOT PRESENT - Ward 12 Councillor Lloyd Ferguson
 NOT PRESENT - Ward 11 Councillor Brenda Johnson
 YES - Ward 10 Councillor Maria Pearson
 NOT PRESENT - Ward 9 Councillor Brad Clark

8. Ward 2 Expenditures (Item 11.2)

(Farr/Nann)

- (a) That the following 2019 Ward 2 expenditures, be approved:
- (i) Gore Park Nativity Repair/Replacement in the amount of \$4,000 to be funded from the Ward 2 Discretionary Account (3301909200);
 - (ii) Corktown Neighbours' Winter Solstice in the amount of \$6,500 to be funded from the Ward 2 Cell Tower Account (3301609602); and,
 - (iii) The Together in Dance Festival 2020 - Hamilton Conservatory for the Arts in the amount of \$7,000 to be funded from the Ward 2 Cell Tower Account (3301609602).
 - (iv) The Boys and Girls Club McNab Street, for new and expanded youth programs (Body Positivity, Mental Health, Support and Prevention and Youth Leadership and Connection to the Community), in the amount of \$8,000 to be funded from the Ward 2 Discretionary Account 3301909200;
 - (v) Hess Village Mall Authority for the Hess Village Entertainment District lighting repair and replacement in an amount up to \$20,000 to be funded from the Ward 2 Area Rating Capital Reserve Account (108052); and,
 - (vi) Downtown BIA for the John-Rebecca Park Activation Kick-off, in the amount of \$4,847.70, to be funded from the Ward 2 Cell Tower Account (3301609602).
- (b) That the Mayor and City Clerk be authorized and directed to execute any required agreement(s) and ancillary documents, with such terms and conditions in a form satisfactory to the City Solicitor.

Result: Motion CARRIED by a vote of 10 to 0, as follows:

YES - Ward 2 Councillor Jason Farr
 YES - Ward 3 Councillor Nrinder Nann

YES - Ward 4 Councillor Sam Merulla
 YES - Ward 5 Councillor Chad Collins
 YES - Ward 6 Councillor Tom Jackson
 YES - Ward 7 Councillor Esther Pauls
 YES - Ward 8 Councillor John-Paul Danko
 YES - Chair - Ward 1 Councillor Maureen Wilson
 YES - Mayor Fred Eisenberger
 NOT PRESENT - Ward 15 Councillor Judi Partridge
 YES - Ward 14 Councillor Terry Whitehead
 NOT PRESENT - Ward 13 Councillor Arlene VanderBeek
 NOT PRESENT - Ward 12 Councillor Lloyd Ferguson
 NOT PRESENT - Ward 11 Councillor Brenda Johnson
 NOT PRESENT - Ward 10 Councillor Maria Pearson
 NOT PRESENT - Ward 9 Councillor Brad Clark

9. Funding to Backfill an Administrative Staff Position in Ward 14 (Item 11.3)

(Whitehead/Jackson)

WHEREAS, the 2019 Ward budgets do not reflect funding required to backfill for administrative staff collecting Short Term Disability benefits; and,

WHEREAS, Ward 14 is being faced with the requirement to backfill an administrative staff position for a temporary, but extended length of time during 2019.

THEREFORE, BE IT RESOLVED:

That funding from the General Legislative Budget (300100), to an upset limit of up to \$15,000. Be approved to backfill the administrative staff position in Ward 14 during a temporary, short-term disability absence in 2019.

Result: Motion CARRIED by a vote of 10 to 0, as follows:

YES - Ward 2 Councillor Jason Farr
 YES - Ward 3 Councillor Nrinder Nann
 YES - Ward 4 Councillor Sam Merulla
 YES - Ward 5 Councillor Chad Collins
 YES - Ward 6 Councillor Tom Jackson
 YES - Ward 7 Councillor Esther Pauls
 YES - Ward 8 Councillor John-Paul Danko
 YES - Chair - Ward 1 Councillor Maureen Wilson
 YES - Mayor Fred Eisenberger
 NOT PRESENT - Ward 15 Councillor Judi Partridge
 YES - Ward 14 Councillor Terry Whitehead
 NOT PRESENT - Ward 13 Councillor Arlene VanderBeek
 NOT PRESENT - Ward 12 Councillor Lloyd Ferguson

NOT PRESENT - Ward 11 Councillor Brenda Johnson
NOT PRESENT - Ward 10 Councillor Maria Pearson
NOT PRESENT - Ward 9 Councillor Brad Clark

10. West Harbour Operating Budget Pressures (Item 11.4)

(Collins/Farr)

WHEREAS, staff confirm that the public realm and shoreline improvements on Piers 5-8 will not be completed until late 2020 or 2021 for projects that include Piers 5-7 Marina Shoreline Rehabilitation, Piers 5-7 Boardwalk, Pier 7 Commercial Village, Pier 8 Shorewall, Pier 8 Promenade, Pier 8 Park, Central Park Redevelopment and Pier 6 Artisan Village; and,

WHEREAS, Finance staff identified 2020 budget operating pressures of \$1,137,500, that includes an employee complement increase of 7.5 FTEs;

THEREFORE, BE IT RESOLVED:

That the proposed West Harbour operating budget pressures be eliminated from the 2020 budget and deferred to the 2021 budget process for consideration.

Result: Motion CARRIED by a vote of 10 to 0, as follows:

YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES - Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Chair - Ward 1 Councillor Maureen Wilson
YES - Mayor Fred Eisenberger
NOT PRESENT - Ward 15 Councillor Judi Partridge
YES - Ward 14 Councillor Terry Whitehead
NOT PRESENT - Ward 13 Councillor Arlene VanderBeeck
NOT PRESENT - Ward 12 Councillor Lloyd Ferguson
NOT PRESENT - Ward 11 Councillor Brenda Johnson
NOT PRESENT - Ward 10 Councillor Maria Pearson
NOT PRESENT - Ward 9 Councillor Brad Clark

11. McMaster Health Campus Contribution Agreement (Item 11.5)

(Collins/Jackson)

WHEREAS, the City of Hamilton's current 2020 tax rate increase is estimated to be 5.5%;

WHEREAS, the McMaster Health Campus contribution agreement between McMaster University and the City of Hamilton provides for a \$1,000,000 holdback provision;

WHEREAS, as part of the \$1,000,000 holdback provision, McMaster University committed in the Health Campus agreement to generate \$600,000 in municipal taxes by developing the rear portion of the McMaster Health Campus (Phase 2); and,

WHEREAS, the agreement states that Phase 2 of the development would be substantially complete by July 1, 2020 requiring the release of the remaining \$1,000,000 to McMaster University;

THEREFORE, BE IT RESOLVED:

That staff be directed to contact McMaster University representatives regarding their commitment and the pending deadline, for the purpose of eliminating this financial obligation from the City's budget.

Result: Motion CARRIED by a vote of 10 to 0, as follows:

YES - Ward 2 Councillor Jason Farr
 YES - Ward 3 Councillor Nrinder Nann
 YES - Ward 4 Councillor Sam Merulla
 YES - Ward 5 Councillor Chad Collins
 YES - Ward 6 Councillor Tom Jackson
 YES - Ward 7 Councillor Esther Pauls
 YES - Ward 8 Councillor John-Paul Danko
 YES - Chair - Ward 1 Councillor Maureen Wilson
 YES - Mayor Fred Eisenberger
 NOT PRESENT - Ward 15 Councillor Judi Partridge
 YES - Ward 14 Councillor Terry Whitehead
 NOT PRESENT - Ward 13 Councillor Arlene VanderBeeck
 NOT PRESENT - Ward 12 Councillor Lloyd Ferguson
 NOT PRESENT - Ward 11 Councillor Brenda Johnson
 NOT PRESENT - Ward 10 Councillor Maria Pearson
 NOT PRESENT - Ward 9 Councillor Brad Clark

12. Licence Agreement – Emergency Services Antenna (PED19206) (Ward 2) (Item 14.4)

(Farr/Jackson)

- (a) That a Licence Agreement between the City of Hamilton (Licensee) and Her Majesty the Queen in the Right of Ontario as represented by the Minister of Government and Consumer Services (Licensor) for the continued operation of an Emergency Services Antenna located on the

elevator penthouse level at the Ellen Fairclough Building located at 119 King Street West as depicted on Appendix "A" attached to Report PED19206, based substantially on the terms and conditions outlined in Appendix "B" attached to Report PED19206, and such other terms and conditions deemed appropriate by the General Manager of Planning and Economic Development Department, be approved;

- (b) That the General Manager, Planning and Economic Development Department or designate, acting on behalf of the City as Licensor, be authorized to provide any consents, approvals, and notices related to the subject Licence Agreement herein outlined;
- (c) That the City Solicitor be authorized to amend and waive such terms and conditions to the Licence Agreement as she considers reasonable;
- (d) That the Licence Fee outlined in Appendix "B" attached to Report PED19206, continue to be funded from Account No. 55375-780005 (Admin-Emergency Communications);
- (e) That the Real Estate fee of \$1,500 be funded from Account No. 55778-780005 (Admin-Emergency Communications); and that the Legal Fee of \$1,500 be funded from Account No. 52425-780005 (Admin-Emergency Communications) and both credited to Account No. 45408-812036 (Real Estate – Admin Recovery);
- (f) That the Mayor and Clerk be authorized and directed to execute the Licence Agreement or such other form and all other necessary associated documents, such documents to be in a form satisfactory to the City Solicitor; and,
- (g) That Report PED19206, respecting a Licence Agreement for an Emergency Services Antenna remain confidential and not be released as a public document.

Result: Motion CARRIED by a vote of 9 to 0, as follows:

YES - Ward 2 Councillor Jason Farr
 YES - Ward 3 Councillor Nrinder Nann
 YES - Ward 4 Councillor Sam Merulla
 YES - Ward 5 Councillor Chad Collins
 YES - Ward 6 Councillor Tom Jackson
 NOT PRESENT - Ward 7 Councillor Esther Pauls
 YES - Ward 8 Councillor John-Paul Danko
 YES - Chair - Ward 1 Councillor Maureen Wilson
 NOT PRESENT - Mayor Fred Eisenberger
 YES - Ward 15 Councillor Judi Partridge
 YES - Ward 14 Councillor Terry Whitehead

NOT PRESENT - Ward 13 Councillor Arlene VanderBeek
 NOT PRESENT - Ward 12 Councillor Lloyd Ferguson
 NOT PRESENT - Ward 11 Councillor Brenda Johnson
 NOT PRESENT - Ward 10 Councillor Maria Pearson
 NOT PRESENT - Ward 9 Councillor Brad Clark

13. International Union of Operating Engineers (IUOE), Local 772 – Collective Agreement Ratification (HUR19024) (City Wide) (Item 14.5)

(Whitehead/Jackson)

- (a) That the tentative agreement reached on October 22, 2019 between the City of Hamilton and the International Union of Operating Engineers (IUOE), Local 772, representing seven (7) employees, be ratified; and,
- (b) That Report HUR19024, respecting the International Union of Operating Engineers, Local 772, Ratification of Collective Agreement remain confidential.

Result: Motion CARRIED by a vote of 9 to 0, as follows:

YES - Ward 2 Councillor Jason Farr
 YES - Ward 3 Councillor Nrinder Nann
 YES - Ward 4 Councillor Sam Merulla
 YES - Ward 5 Councillor Chad Collins
 YES - Ward 6 Councillor Tom Jackson
 NOT PRESENT - Ward 7 Councillor Esther Pauls
 YES - Ward 8 Councillor John-Paul Danko
 YES - Chair - Ward 1 Councillor Maureen Wilson
 NOT PRESENT - Mayor Fred Eisenberger
 YES - Ward 15 Councillor Judi Partridge
 YES - Ward 14 Councillor Terry Whitehead
 NOT PRESENT - Ward 13 Councillor Arlene VanderBeek
 NOT PRESENT - Ward 12 Councillor Lloyd Ferguson
 NOT PRESENT - Ward 11 Councillor Brenda Johnson
 NOT PRESENT - Ward 10 Councillor Maria Pearson
 NOT PRESENT - Ward 9 Councillor Brad Clark

14. Litigation Update, Police Services Board Matter (LS19042) (City Wide) (Item 14.6)

(Whitehead/Partridge)

- (a) That the direction provided to staff in Closed Session, respecting Report LS19042 – Litigation Update, Police Services Board Matter, be approved; and,

Result: Motion CARRIED by a vote of 7 to 2, as follows:

YES – Ward 2 Councillor Jason Farr
 YES – Ward 3 Councillor Nrinder Nann
 YES – Ward 4 Councillor Sam Merulla
 YES – Ward 5 Councillor Chad Collins
 YES – Ward 6 Councillor Tom Jackson
 NOT PRESENT – Ward 7 Councillor Esther Pauls
 NO – Ward 8 Councillor John-Paul Danko
 NO – Chair – Ward 1 Councillor Maureen Wilson
 NOT PRESENT – Mayor Fred Eisenberger
 YES – Ward 15 Councillor Judi Partridge
 YES – Ward 14 Councillor Terry Whitehead
 NOT PRESENT – Ward 13 Councillor Arlene VanderBeek
 NOT PRESENT – Ward 12 Councillor Lloyd Ferguson
 NOT PRESENT – Ward 11 Councillor Brenda Johnson
 NOT PRESENT – Ward 10 Councillor Maria Pearson
 NOT PRESENT – Ward 9 Councillor Brad Clark

(Merulla/Collins)

- (b) That Report LS19042, respecting a Litigation Update, Police Services Board Matter, remain confidential.

Result: Motion CARRIED by a vote of 9 to 0, as follows:

YES – Ward 2 Councillor Jason Farr
 YES – Ward 3 Councillor Nrinder Nann
 YES – Ward 4 Councillor Sam Merulla
 YES – Ward 5 Councillor Chad Collins
 YES – Ward 6 Councillor Tom Jackson
 NOT PRESENT – Ward 7 Councillor Esther Pauls
 YES – Ward 8 Councillor John-Paul Danko
 YES – Chair – Ward 1 Councillor Maureen Wilson
 NOT PRESENT – Mayor Fred Eisenberger
 YES – Ward 15 Councillor Judi Partridge
 YES – Ward 14 Councillor Terry Whitehead
 NOT PRESENT – Ward 13 Councillor Arlene VanderBeek
 NOT PRESENT – Ward 12 Councillor Lloyd Ferguson
 NOT PRESENT – Ward 11 Councillor Brenda Johnson
 NOT PRESENT – Ward 10 Councillor Maria Pearson
 NOT PRESENT – Ward 9 Councillor Brad Clark

15. Amalgamated Transit Union Collective Agreement Negotiations – Verbal Update (Item 14.7)**(Jackson/Whitehead)**

That the verbal update provided in Closed Session, respecting the Amalgamated Transit Union Collective Agreement Negotiations, be received.

CARRIED**FOR INFORMATION:****(a) APPROVAL OF AGENDA (Item 2)**

The Committee Clerk advised of the following changes to the agenda:

1. COMMUNICATIONS (Item 5)

- 5.1 Correspondence from Denise Baker, Partner, WeirFoulds LLP, respecting Item 7.2 - GRIDS2 / Municipal Comprehensive Review - Council Workshop (Special GIC) - October 21, 2019

Recommendation: Be received and referred to the consideration of Item 7.2.

2. DELEGATION REQUESTS (Item 6)

- 6.2 Cameron Kroetsch, respecting Item 11.1 - Multi-Purpose Community Hub for Diverse and Marginalized Communities (For the November 6, 2019 GIC)
- 6.3 Bryan Ritskes, Harbour West Neighbours, respecting Items 1, 2 and 3 of the West Harbour Development Sub-Committee Report 19-003 (For the November 20, 2019 GIC)
- 6.4 Herman Turkstra, respecting Items 1, 2 and 3 of the West Harbour Development Sub-Committee Report 19-003 (For the November 20, 2019 GIC)
- 6.5 Rob D'Amico and Stan Double, Hamilton Professional Firefighters Association, respecting Support for the Firefighter Memorial at Gage Park (For the November 20, 2019 GIC)
- 6.6 Lyla Miklos, respecting Item 11.1 - Multi-Purpose Community Hub for Diverse and Marginalized Communities (For the November 6, 2019 GIC)

- 6.7 Michelle Poirier, respecting Item 11.1 - Multi-Purpose Community Hub for Diverse and Marginalized Communities (For the November 6, 2019 GIC)
- 6.8 Ameil Joseph, McMaster University, respecting Item 11.1 - Multi-Purpose Community Hub for Diverse and Marginalized Communities (For the November 6, 2019 GIC)
- 6.9 Dr. Tina Fetner, McMaster University, respecting Item 11.1 - Multi-Purpose Community Hub for Diverse and Marginalized Communities (For the November 6, 2019 GIC)
- 6.10 Jessica Bonilla-Dampney, Sexual Assault Center (Hamilton and Area), respecting Item 11.1 - Multi-Purpose Community Hub for Diverse and Marginalized Communities (For the November 6, 2019 GIC)
- 6.11 Kojo Dampney, Hamilton Centre for Civic Inclusion, respecting Item 11.1 - Multi-Purpose Community Hub for Diverse and Marginalized Communities (For the November 6, 2019 GIC)
- 6.12 Shamso Elmi, Somali Association of Hamilton, respecting Item 11.1 - Multi-Purpose Community Hub for Diverse and Marginalized Communities (For the November 6, 2019 GIC)
- 6.13 Rahimuddin Chowdhury, Bengali Association of Hamilton, respecting Item 11.1 - Multi-Purpose Community Hub for Diverse and Marginalized Communities (For the November 6, 2019 GIC)
- 6.14 Lynda Lukasik, Environment Hamilton, respecting Item 11.1 - Multi-Purpose Community Hub for Diverse and Marginalized Communities (For the November 6, 2019 GIC)
- 6.15 Jyssika Russell, Speqtrum Hamilton, respecting Item 11.1 - Multi-Purpose Community Hub for Diverse and Marginalized Communities (For the November 6, 2019 GIC)
- 6.16 Suzanne Mills, McMaster University, respecting Item 11.1 - Multi-Purpose Community Hub for Diverse and Marginalized Communities (For the November 6, 2019 GIC)
- 6.17 Mike Wood, Acorn Hamilton, respecting Item 11.1 - Multi-Purpose Community Hub for Diverse and Marginalized Communities (For the November 6, 2019 GIC)

3. NOTICES OF MOTION (Item 12)

- 12.1 Ward 2 Expenditures
- 12.2 Funding to Backfill an Administrative Staff Position in Ward 14
- 12.3 West Harbour Operating Budget Pressures
- 12.4 McMaster Health Campus Contribution Agreement

4. PRIVATE & CONFIDENTIAL (Item 14)

- 14.3 The cross reference to the public report, in the Closed Session description for Item 14.3, refers to Item 10.3; it should reference Item 10.4.
- 14.6 Litigation Update, Police Services Board Matter (LS19042) (City Wide)

Pursuant to Section 8.1, Sub-sections (e) and (f) of the City's Procedural By-law 18- 270; and, Section 239(2), Sub-sections (e) and (f) of the *Ontario Municipal Act, 2001*, as amended, as the subject matter pertains to litigation or potential litigation including matters before administrative tribunals, affecting the municipality or local board; and, the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

- 14.7 Amalgamated Transit Union Collective Agreement Negotiations – Verbal Update

Pursuant to Section 8.1, Sub-section (d) of the City's Procedural By-law 18-270, and Section 239(2), Sub-section (d) of the *Ontario Municipal Act, 2001*, as amended, as the subject matter pertains to labour relations or employee negotiations.

(Farr/Nann)

That the agenda for the November 6, 2019 Special General Issues Committee meeting, be approved, as amended.

Result: Motion CARRIED by a vote of 11 to 0, as follows:

- YES - Ward 2 Councillor Jason Farr
- YES - Ward 3 Councillor Nrinder Nann
- YES - Ward 4 Councillor Sam Merulla
- YES - Ward 5 Councillor Chad Collins

YES - Ward 6 Councillor Tom Jackson
 YES - Ward 7 Councillor Esther Pauls
 NOT PRESENT - Ward 8 Councillor John-Paul Danko
 YES - Chair - Ward 1 Councillor Maureen Wilson
 NOT PRESENT - Mayor Fred Eisenberger
 YES - Ward 15 Councillor Judi Partridge
 NOT PRESENT - Ward 14 Councillor Terry Whitehead
 YES - Ward 13 Councillor Arlene VanderBeek
 NOT PRESENT - Ward 12 Councillor Lloyd Ferguson
 YES - Ward 11 Councillor Brenda Johnson
 YES - Ward 10 Councillor Maria Pearson
 NOT PRESENT - Ward 9 Councillor Brad Clark

(b) DECLARATIONS OF INTEREST (Item 2)

There were no declarations of interest.

(c) APPROVAL OF MINUTES OF PREVIOUS MEETINGS (Item 4)

- (i) September 27, 2019 – Special (Item 4.1)
- (ii) October 16, 2019 (Item 4.2)
- (iii) October 21, 2019 – Special (Item 4.3)

(Collins/Partridge)

That the Minutes of the September 27, October 16 and October 21, 2019 General Issues Committee meetings be approved, as presented.

Result: Motion CARRIED by a vote of 11 to 0, as follows:

YES - Ward 2 Councillor Jason Farr
 YES - Ward 3 Councillor Nrinder Nann
 YES - Ward 4 Councillor Sam Merulla
 YES - Ward 5 Councillor Chad Collins
 YES - Ward 6 Councillor Tom Jackson
 YES - Ward 7 Councillor Esther Pauls
 NOT PRESENT - Ward 8 Councillor John-Paul Danko
 YES - Chair - Ward 1 Councillor Maureen Wilson
 NOT PRESENT - Mayor Fred Eisenberger
 YES - Ward 15 Councillor Judi Partridge
 NOT PRESENT - Ward 14 Councillor Terry Whitehead
 YES - Ward 13 Councillor Arlene VanderBeek
 NOT PRESENT - Ward 12 Councillor Lloyd Ferguson

YES - Ward 11 Councillor Brenda Johnson
 YES - Ward 10 Councillor Maria Pearson
 NOT PRESENT - Ward 9 Councillor Brad Clark

(d) COMMUNICATIONS (Item 5)

- (i) Correspondence from Denise Baker, Partner, WeirFoulds LLP, respecting Item 7.2 - GRIDS2 / Municipal Comprehensive Review - Council Workshop (Special GIC) - October 21, 2019 (Item 5.1)**

(Pearson/VanderBeek)

That the correspondence from Denise Baker, Partner, WeirFoulds LLP, respecting Item 7.2 - GRIDS2 / Municipal Comprehensive Review - Council Workshop (Special GIC) - October 21, 2019, be received and referred to the consideration of Item 7.2.

CARRIED

(e) DELEGATION REQUESTS (Item 6)

(Nann/Pearson)

That the delegation requests (Items 6.1 to 6.17) be approved, as follows:

- (i) P.J. Mercanti, Hamilton100, to provide an Outline of the Highlights and Summary to Part 1 of the Centennial Commonwealth Games Bid (Item 9.1 on this agenda, Commonwealth Games 2030 (PED19108(b)) (Item 6.1)
- (ii) Cameron Kroetsch, respecting Item 11.1 - Multi-Purpose Community Hub for Diverse and Marginalized Communities (For the November 6, 2019 GIC) (Item 6.2)
- (iii) Bryan Ritskes, Harbour West Neighbours, respecting Items 1, 2 and 3 of the West Harbour Development Sub-Committee Report 19-003 (For the November 20, 2019 GIC) (Item 6.3)
- (iv) Herman Turkstra, respecting Items 1, 2 and 3 of the West Harbour Development Sub-Committee Report 19-003 (For the November 20, 2019 GIC) (Item 6.4)
- (v) Rob D'Amico and Stan Double, Hamilton Professional Firefighters Association, respecting Support for the Firefighter Memorial at Gage Park (For the November 20, 2019 GIC) (Item 6.5)
- (vi) Lyla Miklos, respecting Item 11.1 - Multi-Purpose Community Hub for Diverse and Marginalized Communities (For the November 6, 2019 GIC) (Item 6.6)

- (vii) Michelle Poirier, respecting Item 11.1 - Multi-Purpose Community Hub for Diverse and Marginalized Communities (For the November 6, 2019 GIC) (Item 6.7)
- (viii) Ameil Joseph, McMaster University, respecting Item 11.1 - Multi-Purpose Community Hub for Diverse and Marginalized Communities (For the November 6, 2019 GIC) (Item 6.8)
- (ix) Dr. Tina Fetner, McMaster University, respecting Item 11.1 - Multi-Purpose Community Hub for Diverse and Marginalized Communities (For the November 6, 2019 GIC) (Item 6.9)
- (x) Jessica Bonilla-Dampney, Sexual Assault Center (Hamilton and Area), respecting Item 11.1 - Multi-Purpose Community Hub for Diverse and Marginalized Communities (For the November 6, 2019 GIC) (Item 6.10)
- (xi) Kojo Dampney, Hamilton Centre for Civic Inclusion, respecting Item 11.1 - Multi-Purpose Community Hub for Diverse and Marginalized Communities (For the November 6, 2019 GIC) (Item 6.11)
- (xii) Shamsó Elmi, Somali Association of Hamilton, respecting Item 11.1 - Multi-Purpose Community Hub for Diverse and Marginalized Communities (For the November 6, 2019 GIC) (Item 6.12)
- (xiii) Rahimuddin Chowdhury, Bengali Association of Hamilton, respecting Item 11.1 - Multi-Purpose Community Hub for Diverse and Marginalized Communities (For the November 6, 2019 GIC) (Item 6.13)
- (xiv) Lynda Lukasik, Environment Hamilton, respecting Item 11.1 - Multi-Purpose Community Hub for Diverse and Marginalized Communities (For the November 6, 2019 GIC) (Item 6.14)
- (xv) Jyssika Russell, Spectrum Hamilton, respecting Item 11.1 - Multi-Purpose Community Hub for Diverse and Marginalized Communities (For the November 6, 2019 GIC) (Item 6.15)
- (xvi) Suzanne Mills, McMaster University, respecting Item 11.1 - Multi-Purpose Community Hub for Diverse and Marginalized Communities (For the November 6, 2019 GIC) (Item 6.16)
- (xvii) Mike Wood, Acorn Hamilton, respecting Item 11.1 - Multi-Purpose Community Hub for Diverse and Marginalized Communities (For the November 6, 2019 GIC) (Item 6.17)

Result: Motion CARRIED by a vote of 11 to 0, as follows:

YES - Ward 2 Councillor Jason Farr

YES - Ward 3 Councillor Nrinder Nann
 YES - Ward 4 Councillor Sam Merulla
 YES - Ward 5 Councillor Chad Collins
 YES - Ward 6 Councillor Tom Jackson
 YES - Ward 7 Councillor Esther Pauls
 NOT PRESENT - Ward 8 Councillor John-Paul Danko
 YES - Chair - Ward 1 Councillor Maureen Wilson
 NOT PRESENT - Mayor Fred Eisenberger
 YES - Ward 15 Councillor Judi Partridge
 NOT PRESENT - Ward 14 Councillor Terry Whitehead
 YES - Ward 13 Councillor Arlene VanderBeek
 NOT PRESENT - Ward 12 Councillor Lloyd Ferguson
 YES - Ward 11 Councillor Brenda Johnson
 YES - Ward 10 Councillor Maria Pearson
 NOT PRESENT - Ward 9 Councillor Brad Clark

(f) CONSENT ITEMS (Item 7)

**(i) Advisory Committee for Persons with Disabilities Meeting Minutes
19-009, October 8, 2019 (Item 7.1)**

(Pauls/Johnson)

That the Advisory Committee for Persons with Disabilities Meeting Minutes 19-009 of October 8, 2019, be received.

CARRIED

(g) PUBLIC HEARINGS / DELEGATIONS (Item 8)

(i) P.J. Mercanti, Hamilton100, to provide an Outline of the Highlights and Summary to Part 1 of the Centennial Commonwealth Games Bid (Item 9.1 on this agenda, Commonwealth Games 2030 (PED19108(b)) (Item 8.1)

P.J. Mercanti, Hamilton100, addressed Committee to provide an Outline of the Highlights and Summary to Part 1 of the Centennial Commonwealth Games Bid.

Louis Frapporti, Managing Partner, Gowlings Hamilton; Gary Zebroski, Zebroski Associates Ltd, Architect; Cecelia Carter-Smith, Jasper Kujavsky; and, Greg Maychak also answered questions of Committee.

A copy of the presentation is available on-line at www.hamilton.ca or through the Office of the City Clerk.

For disposition of this matter, please refer to Item 2.

(ii) Cameron Kroetsch, respecting Item 11.1 - Multi-Purpose Community Hub for Diverse and Marginalized Communities (Item 8.2)

Cameron Kroetsch addressed Committee respecting Item 11.1 - Multi-Purpose Community Hub for Diverse and Marginalized Communities.

A copy of the presentation is available on-line at www.hamilton.ca or through the Office of the City Clerk.

For disposition of this matter, please refer to Item 7.

(iii) Lyla Miklos, respecting Item 11.1 - Multi-Purpose Community Hub for Diverse and Marginalized Communities (Item 8.3)

Lyla Miklos addressed Committee respecting Item 11.1 - Multi-Purpose Community Hub for Diverse and Marginalized Communities.

For disposition of this matter, please refer to Item 7.

(iv) Michelle Poirier, respecting Item 11.1 - Multi-Purpose Community Hub for Diverse and Marginalized Communities (Item 8.4)

Michelle Poirier addressed Committee respecting Item 11.1 - Multi-Purpose Community Hub for Diverse and Marginalized Communities.

A copy of the presentation is available on-line at www.hamilton.ca or through the Office of the City Clerk.

For disposition of this matter, please refer to Item 7.

(v) Ameil Joseph, McMaster University, respecting Item 11.1 - Multi-Purpose Community Hub for Diverse and Marginalized Communities (Item 8.5)

Ameil Joseph, McMaster University, addressed Committee respecting Item 11.1 - Multi-Purpose Community Hub for Diverse and Marginalized Communities.

For disposition of this matter, please refer to Item 7.

- (vi) **Dr. Tina Fetner, McMaster University, respecting Item 11.1 - Multi-Purpose Community Hub for Diverse and Marginalized Communities (Item 8.6)**

Dr. Tina Fetner, McMaster University, addressed Committee respecting Item 11.1 - Multi-Purpose Community Hub for Diverse and Marginalized Communities.

For disposition of this matter, please refer to Item 7.

- (vii) **Jessica Bonilla-Dampney, Sexual Assault Center (Hamilton and Area), respecting Item 11.1 - Multi-Purpose Community Hub for Diverse and Marginalized Communities (Item 8.7)**

Jessica Bonilla-Dampney, the Sexual Assault Center (Hamilton and Area), addressed Committee respecting Item 11.1 - Multi-Purpose Community Hub for Diverse and Marginalized Communities.

For disposition of this matter, please refer to Item 7.

- (viii) **Kojo Dampney, Hamilton Centre for Civic Inclusion, respecting Item 11.1 - Multi-Purpose Community Hub for Diverse and Marginalized Communities (Item 8.8)**

Kojo Dampney, Hamilton Centre for Civic Inclusion, addressed Committee respecting Item 11.1 - Multi-Purpose Community Hub for Diverse and Marginalized Communities.

For disposition of this matter, please refer to Item 7.

- (ix) **Shamso Elmi, Somali Association of Hamilton, respecting Item 11.1 - Multi-Purpose Community Hub for Diverse and Marginalized Communities (Item 8.9)**

Shamso Elmi, Somali Association of Hamilton, respecting Item 11.1 - Multi-Purpose Community Hub for Diverse and Marginalized Communities.

For disposition of this matter, please refer to Item 7.

- (x) **Rahimuddin Chowdhury, Bengali Association of Hamilton, respecting Item 11.1 - Multi-Purpose Community Hub for Diverse and Marginalized Communities (Item 8.10)**

Mr. Chowdhury, of the Bengali Association of Hamilton, was not present when called upon.

- (xi) **Lynda Lukasik, Environment Hamilton, respecting Item 11.1 - Multi-Purpose Community Hub for Diverse and Marginalized Communities (Item 8.11)**

Lynda Lukasik, Environment Hamilton, addressed Committee respecting Item 11.1 - Multi-Purpose Community Hub for Diverse and Marginalized Communities.

For disposition of this matter, please refer to Item 7.

- (xii) **Jyssika Russell, Spectrum Hamilton, respecting Item 11.1 - Multi-Purpose Community Hub for Diverse and Marginalized Communities (Item 8.12)**

Jyssika Russell, Spectrum Hamilton, addressed Committee respecting Item 11.1 - Multi-Purpose Community Hub for Diverse and Marginalized Communities.

For disposition of this matter, please refer to Item 7.

- (xiii) **Suzanne Mills, McMaster University, respecting Item 11.1 - Multi-Purpose Community Hub for Diverse and Marginalized Communities (Item 8.13)**

Suzanne Mills, McMaster University, addressed Committee respecting Item 11.1 - Multi-Purpose Community Hub for Diverse and Marginalized Communities.

A copy of the presentation is available on-line at www.hamilton.ca or through the Office of the City Clerk.

For disposition of this matter, please refer to Item 7.

(xiv) Mike Wood, Acorn Hamilton, respecting Item 11.1 - Multi-Purpose Community Hub for Diverse and Marginalized Communities (Item 8.14)

Mike Wood, Acorn Hamilton, addressed Committee respecting Item 11.1 - Multi-Purpose Community Hub for Diverse and Marginalized Communities.

For disposition of this matter, please refer to Item 7.

(Farr/Nann)

That the delegations respecting the 2030 Commonwealth Games; and, a Multi-Purpose Community Hub for Diverse and Marginalized Communities, be received.

CARRIED

(Whitehead/Farr)

That Item 11.1, being the Motion respecting a Multi-Purpose Community Hub for the Diverse and Marginalized Community, be moved up on the agenda to be considered prior to Item 9.1.

Result: Motion CARRIED by a vote of 11 to 0, as follows:

YES - Ward 2 Councillor Jason Farr
 YES - Ward 3 Councillor Nrinder Nann
 YES - Ward 4 Councillor Sam Merulla
 YES - Ward 5 Councillor Chad Collins
 YES - Ward 6 Councillor Tom Jackson
 NOT PRESENT - Ward 7 Councillor Esther Pauls
 YES - Ward 8 Councillor John-Paul Danko
 YES - Chair - Ward 1 Councillor Maureen Wilson
 YES - Mayor Fred Eisenberger
 YES - Ward 15 Councillor Judi Partridge
 YES - Ward 14 Councillor Terry Whitehead
 NOT PRESENT - Ward 13 Councillor Arlene VanderBeek
 NOT PRESENT - Ward 12 Councillor Lloyd Ferguson
 NOT PRESENT - Ward 11 Councillor Brenda Johnson
 YES - Ward 10 Councillor Maria Pearson
 NOT PRESENT - Ward 9 Councillor Brad Clark

(h) STAFF PRESENTATIONS (Item 9)**(i) Commonwealth Games 2030 (PED19108(b)) (City Wide) (Item 9.1)**

Mike Zegarac, General Manager of Finance & Corporate Services; and, Carrie Brooks-Joiner, Director of Tourism & Culture, addressed Committee and provided a PowerPoint presentation respecting Report PED19108(b) regarding the Commonwealth Games 2030.

A copy of the presentation is available on the City's website at www.hamilton.ca or through the Office of the City Clerk.

For disposition of this matter, please refer to Item 2.

(Whitehead/Pearson)

That the presentation respecting Report PED19108(b) – Commonwealth Games 2030, be received.

CARRIED

(Eisenberger/Jackson)

(a) That sub-section (a) to Report PED19108(b), respecting the Commonwealth Games 2030, be amended by deleting the words “two” and replacing them with the words “**up to four**”, to read as follows:

(a) That, as it is Council's unfettered right and discretion to designate two elected officials to serve as the City's representative(s) on the Hamilton100 Committee, as per the Memorandum of Understanding between the City of Hamilton and the Hamilton100 Commonwealth Games Bid Corporation, ~~two~~ **up to four** members of Council be appointed to the Committee;

(b) That sub-section (b) to Report PED19108(b), respecting the Commonwealth Games 2030, be amended by adding the words “**and to include up to four members of Council to serve on the Committee**”, to read as follows:

(b) That the Memorandum of Understanding between the City of Hamilton and the Hamilton100 Commonwealth Games Bid Corporation, respecting the 2030 Commonwealth Games Bid, be amended to allow Hamilton100 to prepare, organize, facilitate, coordinate and finance, in its entirety, a Hosting Proposal (Part 2), **and to include up to four members of Council to serve on the Committee**, in a form satisfactory

to the General Manager of Finance and Corporate Services and City the Solicitor; and,

- (c) That a new sub-section (d) to Report PED19108(b), respecting the Commonwealth Games 2030, be added to read as follows:

(d) *That the following Councillors be appointed to participate on the Hamilton100 Committee with respect to the 2030 Commonwealth Games:*

- (i) *Terry Whitehead;***
- (ii) *Judi Partridge;***
- (iii) *Esther Pauls; and,***
- (iv) *Jason Farr.***

Result: *Amendment CARRIED by a vote of 11 to 0, as follows:*

YES - Ward 2 Councillor Jason Farr
 NOT PRESENT - Ward 3 Councillor Nrinder Nann
 YES - Ward 4 Councillor Sam Merulla
 YES - Ward 5 Councillor Chad Collins
 YES - Ward 6 Councillor Tom Jackson
 YES - Ward 7 Councillor Esther Pauls
 YES - Ward 8 Councillor John-Paul Danko
 YES - Chair - Ward 1 Councillor Maureen Wilson
 YES - Mayor Fred Eisenberger
 YES - Ward 15 Councillor Judi Partridge
 YES - Ward 14 Councillor Terry Whitehead
 NOT PRESENT - Ward 13 Councillor Arlene VanderBeek
 NOT PRESENT - Ward 12 Councillor Lloyd Ferguson
 NOT PRESENT - Ward 11 Councillor Brenda Johnson
 YES - Ward 10 Councillor Maria Pearson
 NOT PRESENT - Ward 9 Councillor Brad Clark

(Eisenberger/Partridge)

That the new sub-section (d) to Report PED19108(b), respecting the Commonwealth Games 2030, be amended by deleting the name "Jason Farr", to read as follows:

- (d) That the following Councillors be appointed to participate on the Hamilton100 Committee with respect to the 2030 Commonwealth Games:
- (i) Terry Whitehead;
 - (ii) Judi Partridge; and,
 - (iii) Esther Pauls.
 - ~~(iv) Jason Farr.~~

Result: *Amendment CARRIED by a vote of 10 to 1, as follows:*

YES - Ward 2 Councillor Jason Farr
 NOT PRESENT - Ward 3 Councillor Nrinder Nann
 YES - Ward 4 Councillor Sam Merulla
 NO - Ward 5 Councillor Chad Collins
 YES - Ward 6 Councillor Tom Jackson
 YES - Ward 7 Councillor Esther Pauls
 YES - Ward 8 Councillor John-Paul Danko
 YES - Chair - Ward 1 Councillor Maureen Wilson
 YES - Mayor Fred Eisenberger
 YES - Ward 15 Councillor Judi Partridge
 YES - Ward 14 Councillor Terry Whitehead
 NOT PRESENT - Ward 13 Councillor Arlene VanderBeek
 NOT PRESENT - Ward 12 Councillor Lloyd Ferguson
 NOT PRESENT - Ward 11 Councillor Brenda Johnson
 YES - Ward 10 Councillor Maria Pearson
 NOT PRESENT - Ward 9 Councillor Brad Clark

For disposition of this matter, please refer to Item 2.

(i) NOTICES OF MOTIONS (Item 12)

Councillor J. Farr introduced a Notice of Motion respecting Ward 2 Expenditures.

(i) Ward 2 Expenditures (Item 12.1)

(Farr/Nann)

That the Rules of Order be waived to allow for the introduction of a Motion respecting Ward 2 Expenditures.

Result: Motion CARRIED by a two-thirds vote of 9 to 1, as follows:

YES - Ward 2 Councillor Jason Farr
 YES - Ward 3 Councillor Nrinder Nann
 YES - Ward 4 Councillor Sam Merulla
 YES - Ward 5 Councillor Chad Collins
 YES - Ward 6 Councillor Tom Jackson
 YES - Ward 7 Councillor Esther Pauls
 YES - Ward 8 Councillor John-Paul Danko
 YES - Chair - Ward 1 Councillor Maureen Wilson
 NO - Mayor Fred Eisenberger
 NOT PRESENT - Ward 15 Councillor Judi Partridge
 YES - Ward 14 Councillor Terry Whitehead
 NOT PRESENT - Ward 13 Councillor Arlene VanderBeek
 NOT PRESENT - Ward 12 Councillor Lloyd Ferguson
 NOT PRESENT - Ward 11 Councillor Brenda Johnson
 NOT PRESENT - Ward 10 Councillor Maria Pearson
 NOT PRESENT - Ward 9 Councillor Brad Clark

For disposition of this matter, please refer to Item 8.

(ii) Funding to Backfill an Administrative Staff Position in Ward 14 (Item 12.2)

Councillor T. Whitehead introduced a Notice of Motion respecting funding to backfill an administrative staff position in Ward 14.

(Whitehead/Eisenberger)

That the Rules of Order be waived to allow for the introduction of a motion respecting funding to backfill an administrative staff position in Ward 14.

Result: Motion CARRIED by a two-thirds vote of 10 to 0, as follows:

YES - Ward 2 Councillor Jason Farr
 YES - Ward 3 Councillor Nrinder Nann
 YES - Ward 4 Councillor Sam Merulla
 YES - Ward 5 Councillor Chad Collins
 YES - Ward 6 Councillor Tom Jackson
 YES - Ward 7 Councillor Esther Pauls
 YES - Ward 8 Councillor John-Paul Danko
 YES - Chair - Ward 1 Councillor Maureen Wilson
 YES - Mayor Fred Eisenberger
 NOT PRESENT - Ward 15 Councillor Judi Partridge
 YES - Ward 14 Councillor Terry Whitehead
 NOT PRESENT - Ward 13 Councillor Arlene VanderBeek
 NOT PRESENT - Ward 12 Councillor Lloyd Ferguson
 NOT PRESENT - Ward 11 Councillor Brenda Johnson

NOT PRESENT - Ward 10 Councillor Maria Pearson
NOT PRESENT - Ward 9 Councillor Brad Clark

For disposition of this matter, please refer to Item 9.

(iii) West Harbour Operating Budget Pressures (Item 12.3)

Councillor Collins introduced a Notice of Motion respecting West Harbour Operating Budget Pressures.

(Collins/Merulla)

That the Rules of Order be waived to allow for the introduction of a Motion respecting West Harbour Operating Budget Pressures.

Result: Motion CARRIED by a vote of 10 to 0, as follows:

YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES - Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Chair - Ward 1 Councillor Maureen Wilson
YES - Mayor Fred Eisenberger
NOT PRESENT - Ward 15 Councillor Judi Partridge
YES - Ward 14 Councillor Terry Whitehead
NOT PRESENT - Ward 13 Councillor Arlene VanderBeeck
NOT PRESENT - Ward 12 Councillor Lloyd Ferguson
NOT PRESENT - Ward 11 Councillor Brenda Johnson
NOT PRESENT - Ward 10 Councillor Maria Pearson
NOT PRESENT - Ward 9 Councillor Brad Clark

For disposition of this matter, please refer to Item 10.

(iv) McMaster Health Campus Contribution Agreement (Item 12.4)

Councillor C. Collins introduced a Notice of Motion respecting the McMaster Health Campus Contribution Agreement.

(Collins/Merulla)

That the Rules of Order be waived to allow for the introduction of a Motion respecting the McMaster Health Campus Contribution Agreement.

Result: Motion CARRIED by a two-thirds vote of 10 to 0, as follows:

YES - Ward 2 Councillor Jason Farr
 YES - Ward 3 Councillor Nrinder Nann
 YES - Ward 4 Councillor Sam Merulla
 YES - Ward 5 Councillor Chad Collins
 YES - Ward 6 Councillor Tom Jackson
 YES - Ward 7 Councillor Esther Pauls
 YES - Ward 8 Councillor John-Paul Danko
 YES - Chair - Ward 1 Councillor Maureen Wilson
 YES - Mayor Fred Eisenberger
 NOT PRESENT - Ward 15 Councillor Judi Partridge
 YES - Ward 14 Councillor Terry Whitehead
 NOT PRESENT - Ward 13 Councillor Arlene VanderBeek
 NOT PRESENT - Ward 12 Councillor Lloyd Ferguson
 NOT PRESENT - Ward 11 Councillor Brenda Johnson
 NOT PRESENT - Ward 10 Councillor Maria Pearson
 NOT PRESENT - Ward 9 Councillor Brad Clark

For disposition of this matter, please refer to Item 11.

(j) GENERAL INFORMATION / OTHER BUSINESS (Item 13)

(Whitehead/Pauls)

That the amendments to the General Issues Committee's Outstanding Business List, be approved, as follows:

- (i) Amendments to the Outstanding Business List (Item 13.1)
 - (a) To be removed:
 - (1) Hamilton100's Hosting Proposal (Part 1)
(Addressed as Item 9.1 on this agenda – Report PED19108(b))
 - (2) Review of HWDSB Proposal – Annual Maximum Payment Amount for the Acquisition of School Board Property
(Addressed as Item 10.3 on this agenda – HWDSB Report 19-003)

(b) Proposed New Due Dates:

- (1) City-wide Stormwater Rate Program Review
Current Due Date: October 16, 2019
Proposed New Due Date: November 20, 2019

Result: Motion CARRIED by a vote of 9 to 0, as follows:

YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES - Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Chair - Ward 1 Councillor Maureen Wilson
NOT PRESENT - Mayor Fred Eisenberger
NOT PRESENT - Ward 15 Councillor Judi Partridge
YES - Ward 14 Councillor Terry Whitehead
NOT PRESENT - Ward 13 Councillor Arlene VanderBeeck
NOT PRESENT - Ward 12 Councillor Lloyd Ferguson
NOT PRESENT - Ward 11 Councillor Brenda Johnson
NOT PRESENT - Ward 10 Councillor Maria Pearson
NOT PRESENT - Ward 9 Councillor Brad Clark

(k) PRIVATE & CONFIDENTIAL (Item 14)

(i) Closed Session Minutes – October 2, 2019 (Item 14.1)

(Danko/Pauls)

- (a) That the Closed Session Minutes of the October 2, 2019 General Issues Committee meeting, be approved, as presented; and,
- (b) That the Closed Session Minutes of the October 2, 2019 General Issues Committee meeting remain confidential.

Result: Motion CARRIED by a vote of 9 to 0, as follows:

YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES - Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Chair - Ward 1 Councillor Maureen Wilson

NOT PRESENT - Mayor Fred Eisenberger
 NOT PRESENT - Ward 15 Councillor Judi Partridge
 YES - Ward 14 Councillor Terry Whitehead
 NOT PRESENT - Ward 13 Councillor Arlene VanderBeek
 NOT PRESENT - Ward 12 Councillor Lloyd Ferguson
 NOT PRESENT - Ward 11 Councillor Brenda Johnson
 NOT PRESENT - Ward 10 Councillor Maria Pearson
 NOT PRESENT - Ward 9 Councillor Brad Clark

(ii) Closed Session Minutes – October 16, 2019 (Item 14.2)

(Danko/Pauls)

- (a) That the Closed Session Minutes of the October 16, 2019 General Issues Committee meeting, be approved, as presented; and,
- (b) That the Closed Session Minutes of the October 16, 2019 General Issues Committee meeting remain confidential.

Result: Motion CARRIED by a vote of 8 to 1, as follows:

YES - Ward 2 Councillor Jason Farr
 YES - Ward 3 Councillor Nrinder Nann
 YES - Ward 4 Councillor Sam Merulla
 YES - Ward 5 Councillor Chad Collins
 YES - Ward 6 Councillor Tom Jackson
 YES - Ward 7 Councillor Esther Pauls
 YES - Ward 8 Councillor John-Paul Danko
 NO - Chair - Ward 1 Councillor Maureen Wilson
 NOT PRESENT - Mayor Fred Eisenberger
 NOT PRESENT - Ward 15 Councillor Judi Partridge
 YES - Ward 14 Councillor Terry Whitehead
 NOT PRESENT - Ward 13 Councillor Arlene VanderBeek
 NOT PRESENT - Ward 12 Councillor Lloyd Ferguson
 NOT PRESENT - Ward 11 Councillor Brenda Johnson
 NOT PRESENT - Ward 10 Councillor Maria Pearson
 NOT PRESENT - Ward 9 Councillor Brad Clark

(Danko/Pauls)

That Committee move into Closed Session respecting Items 14.4 to 14.7, pursuant to Section 8.1, Sub-sections (c), (d), (e), (f) and (k) of the City's Procedural By-law 18-270; and, Section 239(2), Sub-sections (c), (d), (e), (f) and (k) of the *Ontario Municipal Act*, 2001; as amended, as the subject matters pertain to a proposed or pending acquisition or disposition of land for City purposes; Labour relations or employee negotiations; litigation or potential litigation including matters before administrative tribunals, affecting the

municipality or local board; the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose; and, a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board.

Result: Motion CARRIED by a vote of 9 to 0, as follows:

YES - Ward 2 Councillor Jason Farr
 YES - Ward 3 Councillor Nrinder Nann
 YES - Ward 4 Councillor Sam Merulla
 YES - Ward 5 Councillor Chad Collins
 YES - Ward 6 Councillor Tom Jackson
 YES - Ward 7 Councillor Esther Pauls
 YES - Ward 8 Councillor John-Paul Danko
 YES - Chair - Ward 1 Councillor Maureen Wilson
 YES - Mayor Fred Eisenberger
 NOT PRESENT - Ward 15 Councillor Judi Partridge
 NOT PRESENT - Ward 14 Councillor Terry Whitehead
 NOT PRESENT - Ward 13 Councillor Arlene VanderBeeck
 NOT PRESENT - Ward 12 Councillor Lloyd Ferguson
 NOT PRESENT - Ward 11 Councillor Brenda Johnson
 NOT PRESENT - Ward 10 Councillor Maria Pearson
 NOT PRESENT - Ward 9 Councillor Brad Clark

(ii) Appendix “B” to Report PED19210 - Disposition of City Owned Land – 488 Upper Wellington Street, Hamilton (Ward 7) (Item 14.3)

For disposition of this matter, please refer to Item 6.

(iii) Litigation Update, Police Services Board Matter (LS19042) (City Wide) (Item 14.6)

Staff were provided with direction in Closed Session.

For further disposition, please refer to Item 14.

(I) ADJOURNMENT (Item 13)

(Farr/Nann)

That there being no further business, the General Issues Committee be adjourned at 6:10 p.m.

CARRIED

Respectfully submitted,

Deputy Mayor M. Wilson
Chair, General Issues Committee

Stephanie Paparella
Legislative Coordinator,
Office of the City Clerk



CITY OF HAMILTON
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
Economic Developments Division

TO:	Mayor and Members General Issues Committee
COMMITTEE DATE:	November 20, 2019
SUBJECT/REPORT NO:	Revised Ottawa Street Business Improvement Area (BIA) Board of Management (PED19214) (Wards 3 and 4)
WARD(S) AFFECTED:	Wards 3 and 4
PREPARED BY:	Julia Davis (905) 546-2424 Ext. 2632
SUBMITTED BY:	Glen Norton Director, Economic Development Planning and Economic Development Department
SIGNATURE:	

RECOMMENDATION

That the following individuals be appointed to the Ottawa Street Business Improvement Area (BIA) Board of Management:

- (i) Bill Cartwright

EXECUTIVE SUMMARY

Appointment of a new Director to the Ottawa Street Business Improvement Area (BIA) Board of Management.

Alternatives for Consideration – Not Applicable

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: N/A

Staffing: N/A

Legal: The *Municipal Act 2001*, Sections 204-215 governs BIAs. Section (204) Subsection (3) stipulates “A Board of Management shall be composed of, (a)

OUR Vision: To be the best place to raise a child and age successfully.

OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.

SUBJECT: Revised Ottawa Street Business Improvement Area (BIA) Board of Management (PED19214) (Wards 3 and 4) - Page 2 of 3

one or more Directors appointed directly by the Municipality; and (b) the remaining Directors selected by a vote of the membership of the improvement area and appointed by the Municipality”. Section 204 Subsection (12) stipulates “...if a vacancy occurs for any cause, the Municipality may appoint a person to fill the vacancy for the unexpired portion of the term and the appointed person is not required to be a member of the improvement area.”

HISTORICAL BACKGROUND

At a meeting of the Board of Management of the Ottawa Street BIA held on Thursday October 10, 2019 the Directors nominated Bill Cartwright for a vacant position on the BIA Board of Management.

Should Council adopt the recommendation in Report PED19214, the nominated individual would replace Sauro Bertolozzi who resigned from the Ottawa Street BIA Board of Management.

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

Not Applicable

RELEVANT CONSULTATION

Not Applicable

ANALYSIS AND RATIONALE FOR RECOMMENDATION

Not Applicable

ALTERNATIVES FOR CONSIDERATION

Not Applicable

ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN

Community Engagement and Participation

Hamilton has an open, transparent and accessible approach to City government that engages with and empowers all citizens to be involved in their community.

Economic Prosperity and Growth

Hamilton has a prosperous and diverse local economy where people have opportunities to grow and develop.

SUBJECT: Revised Ottawa Street Business Improvement Area (BIA) Board of Management (PED19214) (Wards 3 and 4) - Page 3 of 3

APPENDICES AND SCHEDULES ATTACHED

Not Applicable

JD:dt



CITY OF HAMILTON
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
Economic Development Division

TO:	Mayor and Members General Issues Committee
COMMITTEE DATE:	November 20, 2019
SUBJECT/REPORT NO:	Revised International Village Business Improvement Area (BIA) Board of Management (PED19215) (Ward 2)
WARD(S) AFFECTED:	Ward 2
PREPARED BY:	Julia Davis (905) 546-2424 Ext. 2632
SUBMITTED BY:	Glen Norton Director, Economic Development Planning and Economic Development Department
SIGNATURE:	

RECOMMENDATION

That the following individuals be appointed to the International Village Business Improvement Area (BIA) Board of Management:

- (i) Sarah Jang

EXECUTIVE SUMMARY

Appointment of a new Director to the International Village Business Improvement Area (BIA) Board of Management.

Alternatives for Consideration – Not Applicable

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: N/A

Staffing: N/A

Legal: The *Municipal Act 2001*, Sections 204-215 governs BIAs. Section (204) Subsection (3) stipulates “A Board of Management shall be composed of, (a)

OUR Vision: To be the best place to raise a child and age successfully.

OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.

**SUBJECT: Revised International Village Business Improvement Area (BIA)
Board of Management (PED19215) (Ward 2) - Page 2 of 3**

one or more Directors appointed directly by the Municipality; and (b) the remaining Directors selected by a vote of the membership of the improvement area and appointed by the Municipality”. Section 204 Subsection (12) stipulates “...if a vacancy occurs for any cause, the Municipality may appoint a person to fill the vacancy for the unexpired portion of the term and the appointed person is not required to be a member of the improvement area.”

HISTORICAL BACKGROUND

At a meeting of the Board of Management of the International Village BIA held on Wednesday October 9, 2019 the Directors nominated Sarah Jang for a vacant position on the BIA Board of Management.

Should Council adopt the recommendation in Report PED19215, the nominated individual would replace Lyndsay Boyd who resigned from the International Village BIA Board of Management.

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

Not Applicable

RELEVANT CONSULTATION

Not Applicable

ANALYSIS AND RATIONALE FOR RECOMMENDATION

Not Applicable

ALTERNATIVES FOR CONSIDERATION

Not Applicable

ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN

Community Engagement and Participation

Hamilton has an open, transparent and accessible approach to City government that engages with and empowers all citizens to be involved in their community.

Economic Prosperity and Growth

Hamilton has a prosperous and diverse local economy where people have opportunities to grow and develop.

**SUBJECT: Revised International Village Business Improvement Area (BIA)
Board of Management (PED19215) (Ward 2) - Page 3 of 3**

APPENDICES AND SCHEDULES ATTACHED

Not Applicable

JD:dt

7.3

**CITY OF HAMILTON
GENERAL ISSUES COMMITTEE UPDATE**

Date: October 28, 2019
Subject: Responses to questions/concerns raised during September 9 GIC Meeting
Report prepared for: General Issues Committee
Recommendations: For information Only

Background:

- During the September 9, 2019 General Issues Committee (GIC) Meeting, MPAC delivered a presentation entitled “2018 Enumeration Update”.
 - During the presentation there were questions/comments raised that required subsequent follow-up and response to GIC members.
 - This report provides additional information in response to the questions/comments.
-

For Context

Enumeration

- MPAC is responsible for collecting information (name, date of birth, citizenship and school support) for municipal, District Social Services Administration Board (DSSAB) and school board elections.
- Before each municipal election, MPAC provides municipalities with a Preliminary List of Electors (PLE). The PLE is used by municipal clerks to finalize the Voters’ List.
- Source data for the PLE includes:
 - MPAC’s Property Assessment Database;
 - Tripartite data sharing agreement with Elections Canada and Elections Ontario;
 - Land Titles/Registry;
 - Ministry of Government and Consumer Services (deceased names);
 - Updates provided by property owners, tenants, municipalities and school boards
 - voterlookup.ca.
- Since 2014, MPAC’s enumeration process has included the voterlookup.ca website. The site allows eligible electors to confirm or update their information for municipal and school board election purposes. Since June 2018, the voterlookup.ca website also allows users to add the names of other occupants of a household, including names of those not yet of voting age. This supports MPAC’s ongoing data collection activities for future elections/by-elections and information relied upon for municipal and school board planning purposes (i.e. population).

- Collecting information on renters and other occupants of a property can be a challenge as we are often not informed when a non-owner changes addresses, as this change would not be captured through MPAC's property assessment database.

The Role of the Municipality

- In a regular election year, MPAC provides municipalities with the Preliminary List of Electors (PLE), two to three months prior to Election Day.
- There are provisions within the *Municipal Elections Act* that permit the City Clerk to make corrections prior to creating the final Voters' List, as well as revisions that can be made once the Voters' List is final.
- Following the election, municipalities submit Voters' List revisions to MPAC for processing to ensure that any changes are reflected in our database going forward.

Provincial Announcement

- On October 25, 2019 the Minister of Municipal Affairs and Housing announced 'Ontario Helping Make Municipalities Stronger' which includes a recommendation to combine the municipal and provincial voters lists to create a single list managed by Elections Ontario.
- MPAC understands the importance of preparing and maintaining accurate and up-to-date electoral information. We support the proposed changes and remain committed to working with the provincial government, Elections Ontario and municipalities in an effort to improve future Voters' Lists.

Questions & Responses

Question: Why is it that electors who were previously added to the Voters' List, and whose names are included on Federal and/or Provincial lists, are not included on the current Voters' List? Is MPAC not updating the lists?

Response: In support of 2018 election events and in partnership with Elections Canada and Elections Ontario we engaged in 3-way cross-promotion of each other's online elector services. Recognizing that many electors believe that updating electoral information with one level of government, serves to update all, which is not necessarily the case. Through this cross-promotion, we are providing information in this regard to electors and links to redirect them to the appropriate web sites (i.e. voterlookup.ca) for confirming/updating information for election purposes with all levels of government.

For the 2018 elections, Municipalities had 30 days to submit Voters' List revisions to MPAC in prescribed electronic format to ensure that we received the appropriate/mandatory fields of data required for each elector revision. In the case of delete revisions/records, additional

reason codes are applied to each record to identify the nature of the deletion – i.e. code for “deceased” vs. codes used for other reasons – i.e. duplicate name, declined oath, other, etc. Following prior elections, revisions were submitted to MPAC in a variety of formats, including hard copy EL15 forms (Application to Amend the Voters’ List), and often did not contain all information required to achieve the correct outcome – i.e. an elector deletion without additional information as to the nature of the deletion (i.e. ‘deceased’), incomplete information to confidently identify the correct individual a revision record pertained to, etc.. Lack of fulsome revision information, could result in an inability to update accordingly with some names reappearing/remaining active (i.e. not changed to ‘estate of’/not deleted).

Question: 700 Upper Kenilworth Avenue and 220 Dundurn St. South were completely missed, no Voter Notification Cards. Why?

Response: MPAC has reviewed information pertaining to the subject properties, results as follows:

700 Upper Kenilworth Ave Results:

- 5 elector records included in 2018 PLE for UNITS 201 (1), 210 (2), 504 (1) and 509 (1);
- 280 records included in 2018 Voter Notification File – No Electors (VNFNE) and intended to serve as placeholders to append elector names to - UNITS 101 - 119, 202 – 209, 211 - 221, 301 - 321, 401 - 421, 501 – 503, 505 – 508, 510 - 521, 601 - 621, 701 - 721, 801 - 821, 901 - 921, 1001 - 1021, 1101, B1, B12, B2
- No records pertaining to this address included in September Exceptions files.
- Revisions Processing: There were 23 revisions received from City of Hamilton that pertained to this address and all were successfully processed in our Names Database – 17 Additions (of which 16 were actual additions and one was treated as an update); 1 Deletion; 1 Update; 4 Moves.

220 Dundurn St. S. Results:

- 0 elector records included in 2018 PLE
- 125 records included in 2018 VNFNE for UNITS 101 – 108, 112 - 137, 200 – 243, 300 – 344
- Revisions Processing: There were no revisions received from the City of Hamilton that pertained to this address.

Question: Does MPAC view elections as an expenditure or an investment?

Response: Municipal elections are an important function of municipal government and everyone’s democratic right to vote.

We take our role seriously because we are neighbours, electors, taxpayers and property owners too. It is imperative that our work continues with municipalities, provincial government, and other enumeration partners in the election process to better understand the transient nature of tenants or boarders, in an effort to identify effective strategies to address, ensuring we capture the greatest number of eligible electors on the PLE. This shared responsibility will lead to more accurate Voters' Lists to ensure all Ontario electors can execute their fundamental right to vote.

In alignment with our 2017-2020 Strategic Plan, MPAC remains committed to improving the products and services delivered to our stakeholders and the people of Ontario and to continuing work with the provincial government, municipalities and other enumeration partners in an effort to improve future Voters' Lists.

The work done in support of the 2018 municipal and school board elections exemplifies our commitment to improving the products and services delivered to stakeholders and demonstrates the progress made to transform relationships into partnerships.

Question: It doesn't seem logical that multi-residential tenants are not automatically on a list. A by-law cannot be created. What can be done?

Response: It would be very beneficial if voterlookup.ca was promoted so that electors could check for themselves if they are on the list.

In 2018, MPAC shared promotional materials with municipal and school board partners, including materials developed specifically for municipal clerks to share with confirmed election candidates, to build awareness of voterlookup.ca.

We launched an extensive social media campaign targeted at first time voters, millennials, **tenants**, retirees and professionals and voterlookup.ca inserts were included in over 70,000 Property Assessment Notices and shared during residential property inspections from May to August 2018.

Sec. 16.1 of the *Assessment Act* includes provisions whereby owners of multi-residential properties (7 or more units) are to provide the name of tenant for each unit to MPAC and this is to occur annually:

Information from landlords

16.1 (1) For the purposes of sections 15 and 16, on or before July 31 in each year, every owner of a property with seven or more self-contained residential units shall provide the assessment corporation with the information described in subsection (2). 1997, c. 5, s. 11; 1997, c. 43, Sched. G, s. 18 (20).

What information is required

(2) The information referred to in subsection (1) is the names and unit numbers of the persons who, during the 12-month period that ends with, and includes, July 1 in the year in which the information is provided,

- (a) have become residential tenants of the property;
- (b) have ceased to be residential tenants of the property; or
- (c) have continued to be residential tenants of the property but have changed units. 1997, c. 5, s. 11.

These provisions do not extend to owners of multi-residential/tenanted properties with fewer than 7 units.

When information is received (7 or more units), we are typically furnished with just the name of the lease holder without Canadian citizenship confirmation, religion or school support. For names added to our database, we attempt to match these against the National Register of Electors (NROE) and/or Permanent Register of Electors for Ontario (PREO), as was done in 2018, in an effort to obtain Canadian citizenship confirmation which would result in any successful matches/names appearing on the PLE. When generating the PLE, we also augment with NROE information in cases where we have a tenant unit reflected as 'vacant' or where we have associated tenant names and citizenship for all is reflected as 'unconfirmed'. 2018 PLE's included over 1.5m tenant names.

Question: Regarding voterlookup.ca, there seems to be lack of security. Why?

Response: Data privacy is of the upmost importance to MPAC and voterlookup.ca harnesses the latest technology and was designed using the Privacy-by-Design principles. Further, the site meets *Municipal Freedom of Information and Protection of Privacy Act* (MFIPPA) requirements.

voterlookup.ca features a declaration component (see below) which requires the user to verify that the information is 'true and accurate'. In addition, specific information entered by each user on voterlookup.ca has to match with existing data maintained by MPAC before users are permitted to add their name or apply changes to their information. voterlookup.ca does not allow users to delete/remove names.



Persons using the site, must select “I Agree” before confirming/updating their information and based on the information a user provides, there’s further authentication protocols in place to match the name, property address, etc., vs. information maintained in our Names Database. If not able to match, a user is directed accordingly to contact our Customer Contact Centre.

Question: There seems to be a disconnect with some owner's addresses. How does the accuracy software work?

Response: MPAC learned from the 2014 experience, that had time permitted to apply address accuracy software against our data prior to generating electoral products, we could have eliminated over 236,000 mailing address accuracy revisions.

MPAC applied address accuracy software resulting in over 511,000 address updates prior to generating 2018 enumeration output products.

The address accuracy software used verifies the mailing address pertaining to every property/unit with Canada Post standards to ensure correctness.

Postal Codes and Wards:

- Postal Code information in MPAC's databases is that which corresponds to the mailing address of a property owner/elector which in many cases is different than the physical/civic address of a property;
- Ward and Poll information associated with a property owner/elector corresponds with the physical/civic address of a property;
- The municipality works with MPAC to ensure the correct ward and poll boundary assignments are applied to every unique 19-digit roll number in MPAC's database that pertains to the municipality.

One comment at the end of this session spoke to following up with the "Working Group". For further clarity, there are actually two working groups, which are as follows:

MMAH Voters' List Working Group

- Established by the Ministry of Municipal Affairs and Housing (MMAH)
- Includes representation from MMAH, Ministry of Finance, Cabinet Office, the Association of Municipal Managers, Clerks and Treasurers of Ontario (AMCTO), various municipal clerks, MPAC and Elections Ontario
- Explore potential long-term solutions to creating more accurate provincial and municipal Voters' Lists
- Referenced in resolutions following 2018 elections.

MPAC Elections Working Group

- Established by MPAC
- Includes representation from Elections Canada, Elections Ontario, MMAH, AMCTO, a number of municipal clerks from across the province and MPAC
- Share new ideas, information and insights, to help further inform our plans for an enumeration event to best support municipal and school board election related activities.

sometimes
The Invisible Neighbourhood



The Neighbourhood 2012

- 5000 People
- 1000 Under 15
- 2 schools
- 3 churches
- Local Recreation Centre
- Many small lots
- Many small houses
- Narrow streets
- Child and Family Friendly Neighbourhood
- 50% population growth approved

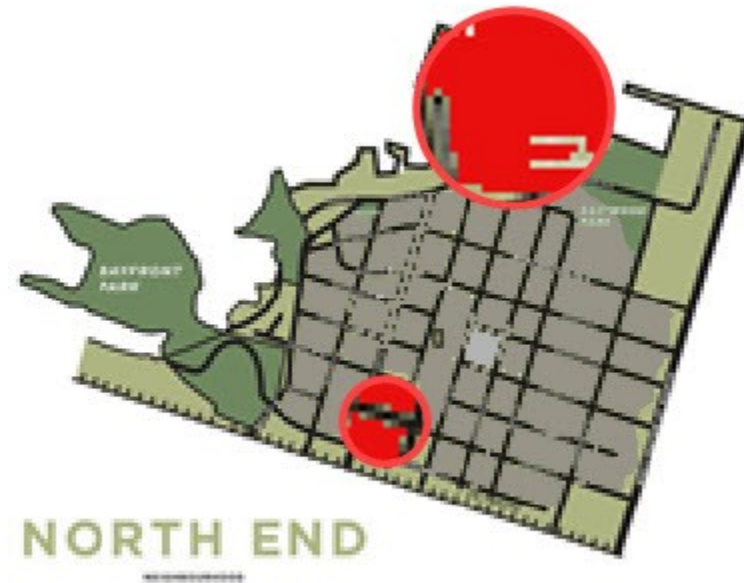


- [A Complete Stable Urban Core community](#)

The Council Rules for Development in the North End Neighbourhood.

- A.6.3.2.2 Strengthen existing neighbourhoods Together with the waterfront, the North End and portions of Strathcona, Central and Beasley neighbourhoods are the defining elements of West Harbour. There is much diversity within the neighbourhoods, physically and socially, reflecting the area's rich and varied history. Where once local industries attracted workers and their families, the attractions for residents now are the area's historic character and waterfront amenities. **This character and the neighbourhoods' physical relationship to the waterfront are assets to be protected and enhanced.** As changes in West Harbour continue, both on the waterfront and in the neighbourhoods, it is important to: i) **ensure new development respects and enhances the character of the neighbourhoods**; ii) relocate heavy industrial uses and clean-up contaminated sites; iii) encourage compatible development on abandoned, vacant and under-utilized land; iv) support James Street as the area's main commercial street; v) encourage new commercial uses that cater to the local neighbourhood; **vi) enhance the amenities and landscaping in existing neighbourhood parks; vii) augment existing parkland with additional publicly-accessible open spaces**; viii) ensure existing and future neighbourhoods are well served by community services such as schools, health care, libraries and emergency services; ix) improve access to the waterfront and Downtown from the neighbourhoods; x) preserve, restore and/or reuse buildings of historic or architectural significance;

The Disappearing Neighbourhood 2013



The Disappearing Neighbourhood - 2014



The January 2014 Pier 8
January Report made zero
mention of neighbourhood
impacts.

The Neighbourhood at L.P.A.T.



The Disappeared Neighbourhood Sept. 2019



The Greenway in the Urban Design Study



The UDS Greenway as approved by Council

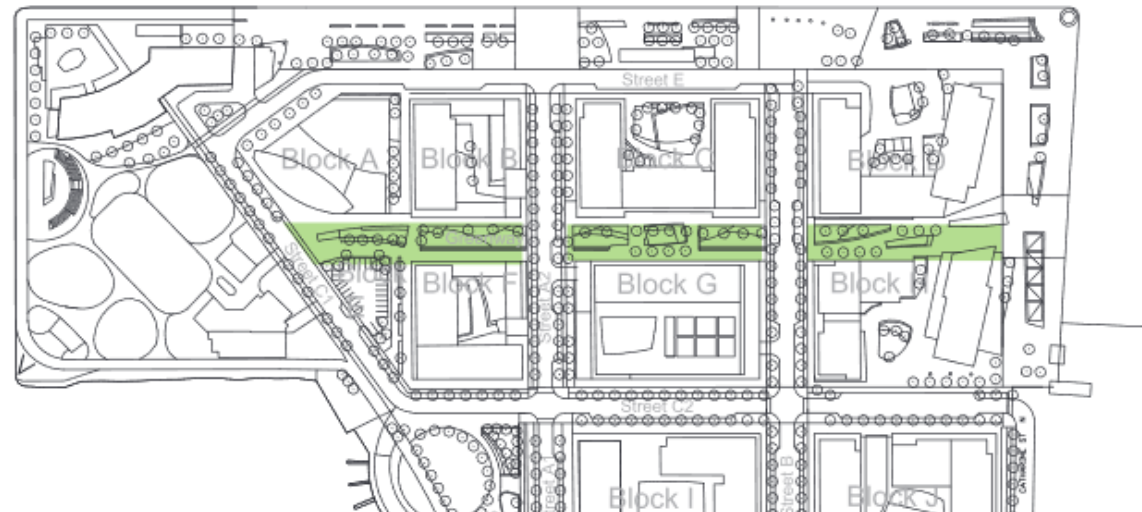
A Pedestrian and Cyclist Greenway that captures stormwater and provides an east-west connection



Greenway Council approved design theory

The Greenway is a pedestrian and cycling street which doubles as a naturalized storm water management area. This Green Street will not be accessible to motorized vehicles and will have a combination of naturalized planting and hardscaped areas. The landscape features of the street will be engineered to minimize the overall environmental impacts of future development. If required, the overall water quality can be maintained by having water flow through an oil grit separator and then into the water gardens. The need for oil grit separators will be determined in the detailed design phases.

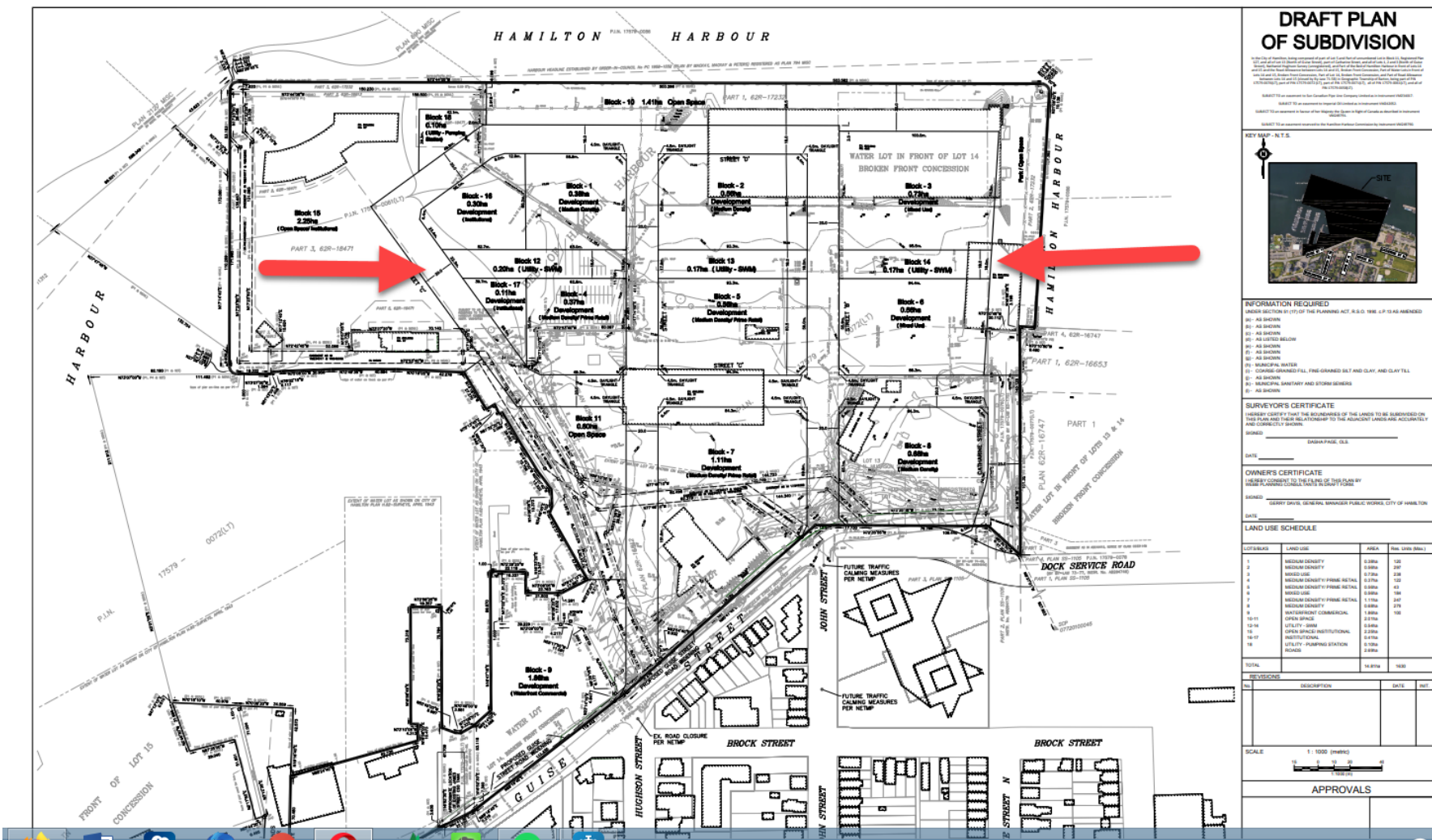
To support the pedestrian quality of the area, the Green Street will be framed at the ground level with a rhythm of residential entrances. Units will be directly accessible from the pathway. Where institutional or mixed use development frame onto the Green Street, secondary entrances will be provided from the Greenway in addition to those along the adjacent streets.



The Greenway in Waterfront Shores Bid

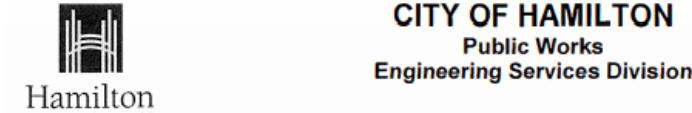


The Greenway in the Pier 8 Settlement



September 2019

The Move to Reduce the Greenway



TO:	Chair and Members West Harbour Development Sub-Committee
COMMITTEE DATE:	October 22, 2019
SUBJECT/REPORT NO:	West Harbour Strategic Initiatives Piers 5-7 Public Realm Capital Works (PW19090) (Ward 2)
WARD(S) AFFECTED:	Ward 2
PREPARED BY:	Gavin Norman (905) 546-2424 ext. 4812
SUBMITTED BY:	Gord McGuire Director, Engineering Services
SIGNATURE:	

RECOMMENDATION(S)

- (a) That staff be authorized to direct the Hamilton Waterfront Trust to proceed with tenders for 100% of the previously approved Capital works, in the amount of \$13.5M, on Piers 5-7 for the following projects in 2019:
 - (i) Project ID 4411506107 – Piers 5-7 Marina Shoreline Rehab (Approved Budget \$10.2M); and
 - (ii) Project ID 4411606102 – Piers 5-7 Boardwalk (Approved Budget \$3.3M);
- (b) That staff be directed to make necessary modifications to the West Harbour Capital program to re-direct funding allocated to future projects to the Piers 5-7 Public Realm Project with the intent to not increase the overall program budget in years 2020-2022.

The Greenway Today?



CITY OF HAMILTON
Public Works
Engineering Services Division

TO:	Chair and Members West Harbour Development Sub-Committee
COMMITTEE DATE:	October 22, 2019
SUBJECT/REPORT NO:	West Harbour Strategic Initiatives Piers 5-7 Public Realm Capital Works (PW19090) (Ward 2)
WARD(S) AFFECTED:	Ward 2
PREPARED BY:	Gavin Norman (905) 546-2424 ext. 4812
SUBMITTED BY:	Gord McGuire Director, Engineering Services
SIGNATURE:	

- Pier 8 Greenway (\$1.6M)
 - This project can be deferred to 2021 and future years and the scope of the project can be reduced by reducing the width of the corridor from 18m to 12m. This will translate to both a lower cost to construct and an increase in land area to sell for development. Savings found here could be reallocated to Piers 5-7.

The Greenway Today



Hamilton

Public Works
Engineering Services Division

TO:	Chair and Members West Harbour Development Sub-Committee
COMMITTEE DATE:	October 22, 2019
SUBJECT/REPORT NO:	West Harbour Strategic Initiatives Piers 5-7 Public Realm Capital Works (PW19090) (Ward 2)
WARD(S) AFFECTED:	Ward 2
PREPARED BY:	Gavin Norman (905) 546-2424 ext. 4812
SUBMITTED BY:	Gord McGuire Director, Engineering Services
SIGNATURE:	

RELEVANT CONSULTATION

Waterfront Development Office staff have consulted with staff from Financial Planning and Policy, Corporate Services to determine suitable revisions to the West Harbour Capital Program that will minimize impacts on the Levy and Development Charges Reserve.

Missing Consultation
Waterfront Shores, North End Neighbourhood
Association, Harbour West Neighbours Inc.
Brook McIlroy, Herman Turkstra

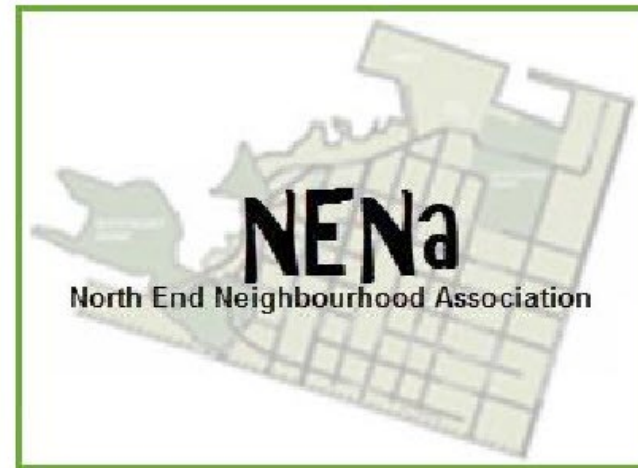
What's Missing:

- These words are not found in the 2019 staff report:
 - Beauty,
 - aesthetics,
 - function,
 - sense of place,
 - atmosphere,
 - quality,
 - vision,

Request:

- That the decision to reduce the size of the Greenway be reversed not deferred in order to ensure that the next stages of development on Pier 8 not be influenced by the proposed reduced size.
- A direction to staff that all staff reports relating to developments in the North End neighbourhood be sent in a timely fashion to NENa as the official neighbourhood association.
- A direction to staff that NENa be advised of all Committee and Council agenda items relating to planning and development in the North End Neighbourhood in advance of the relevant meeting.

Thank you.





Hamilton

**West Harbour Development Sub-Committee
Report 19-003**

1:00 p.m.

Tuesday, October 22, 2019
Room 264, 2nd Floor, City Hall
71 Main Street West
Hamilton, Ontario

Present: Mayor F. Eisenberger
Councillors J. Farr (Chair), M. Wilson (Vice-Chair), C. Collins, and
J.P. Danko

**THE WEST HARBOUR DEVELOPMENT SUB-COMMITTEE PRESENTS REPORT
19-003 AND RESPECTFULLY RECOMMENDS:**

1. Increase of 0.13% for Capital Financing of West Harbour Development (Item 10.1)

The matter of a 0.13% increase for capital financing of West Harbour Development for a total of 1.3% tax increase, was received.

2. Piers 6 and 7 Commercial Village Activation Plan (PED19191(a)) (Ward 2) (Item 10.2) (Attached hereto as Appendix A.)

- (a) That staff report back to the West Harbour Development Sub-Committee with draft sale documents for approval, including recommendations on the disposition phasing and conditions of sale that seek to ensure that development of any disposed lands happens in a timely fashion, contributes to the success and vibrancy of the public space on Piers 6 and 7, **and** provides a high quality of design, **and recognises Hamilton's declared climate emergency by adhering to environmentally sustainable building principles;**
- (b) That staff from the Tourism and Culture Division be directed to prepare and execute an agreement with an external entity to a maximum value of \$40,000 for the implementation of operating and programming temporary animation of the Piers 5 to 8 lands, with nominal cost for leasing of the lands, for the period beginning in the Spring season of 2020 to approximately the end of the Fall season 2020, to be funded through Project 4411606003

(West Harbour Community Engagement) in a manner and on conditions deemed appropriate by the General Manager of the Planning and Economic Development Department, and in a form acceptable to the City Solicitor.

3. West Harbour Strategic Initiatives Piers 5-7 Public Realm Capital Works (PW19090) (Ward 2) (Item 10.3) (Attached hereto as Appendix B.)

- (a) That staff be authorized to direct the Hamilton Waterfront Trust to proceed with tenders for 100% of the previously approved Capital works, in the amount of \$13.5M, on Piers 5-7 for the following projects in 2019:
 - (i) Project ID 4411506107 – Piers 5-7 Marina Shoreline Rehab (Approved Budget \$10.2M); and
 - (ii) Project ID 4411606102 – Piers 5-7 Boardwalk (Approved Budget \$3.3M);
- (b) That staff be directed to make necessary modifications to the West Harbour Capital program to re-direct funding allocated to future projects to the Piers 5-7 Public Realm Project with the intent to not increase the overall program budget in years 2020-2022.
- (c) ***That construction of the permanent Macassa Bay Police Marine Unit facility be deferred to 2022+ in order to allow the City to optimize the value of the investment made in the temporary structure.***

FOR INFORMATION:

(a) CHANGES TO THE AGENDA (Item 2)

The Committee Clerk advised that there were no changes to the Agenda.

The Agenda for the October 22, 2019 meeting of the West Harbour Development Sub-Committee was approved, as presented.

(b) DECLARATIONS OF INTEREST (Item 3)

There were no declarations of interest.

(c) APPROVAL OF MINUTES (Item 4)

(i) September 9, 2019 (Item 4.1)

The Minutes for the September 9, 2019 meeting of the West Harbour Development Sub-Committee were approved, as presented.

(d) DISCUSSION ITEMS (Item 10)**(i) For the Consideration of the West Harbour Development Sub-Committee: 0.13% Increase for Capital Financing of West Harbour Development (Item 10.1)**

Consideration of Item 10.1, For the Consideration of the West Harbour Development Sub-Committee: 0.13% Increase for Capital Financing of West Harbour Development, was deferred until following the consideration of Item 10.3.

(ii) Piers 6 and 7 Commercial Village Activation Plan (PED19191(a)) (Ward 2) (Item 10.2)

Sub-section (a) of Report PED19191(a), respecting Piers 6 and 7 Commercial Village Activation, was amended to include among the conditions of sale, adherence to sustainable building principles in keeping with the climate emergency, as follows.

- (a) That staff report back to the West Harbour Development Sub-Committee with draft sale documents for approval, including recommendations on the disposition phasing and conditions of sale that seek to ensure that development of any disposed lands happens in a timely fashion, contributes to the success and vibrancy of the public space on Piers 6 and 7, **and** provides a high quality of design, **and adheres to sustainable building principles in keeping with the climate emergency;**

For further disposition of this matter, see Item 2.

(iii) West Harbour Strategic Initiatives Piers 5-7 Public Realm Capital Works (PW19090) (Ward 2) (Item 10.3)

A new sub-section (c) was added to Report PW19090, respecting West Harbour Strategic Initiatives Piers 5-7 Public Realm Capital Works, as follows:

- (c) ***That construction of the permanent Macassa Bay Police Marine Unit facility be deferred to 2022+ in order to allow the City to optimize the value of the investment made in the temporary structure.***

(e) ADJOURNMENT (Item 15)**(Wilson/Collins)**

There being no further business, the West Harbour Development Sub-Committee was adjourned at 11:16 a.m.

CARRIED

Respectfully submitted,

Councillor J. Farr, Chair
West Harbour Development
Sub-Committee

Tamara Bates
Legislative Coordinator
Office of the City Clerk



Hamilton

CITY OF HAMILTON
PLANNING AND ECONOMIC DEVELOPMENT
General Manager's Office

TO:	Chair and Members West Harbour Development Sub-Committee
COMMITTEE DATE:	October 22, 2019
SUBJECT/REPORT NO:	Pier 6 and 7 Land Disposition and Interim Activation Plan (PED19191(a)) (Ward 2)
WARD(S) AFFECTED:	Ward 2
PREPARED BY:	Chris Phillips 905-546-2424 Ext. 5304 Ray Kessler 905-546-2424 Ext. 7019
SUBMITTED BY:	Jason Thorne General Manager Planning and Economic Development Department
SIGNATURE:	

RECOMMENDATION

- (a) That staff report back to the West Harbour Development Sub-Committee with draft sale documents for approval, including recommendations on the disposition phasing and conditions of sale that seek to ensure that development of any disposed lands happens in a timely fashion, contributes to the success and vibrancy of the public space on Piers 6 and 7, and provides a high quality of design;
- (b) That staff from the Tourism and Culture Division be directed to prepare and execute an agreement with an external entity to a maximum value of \$40 K for the purposes of operating and programming temporary animation of the Piers 5 to 8 lands, with nominal cost for leasing of the lands, for the period beginning in the Spring season of 2020 to approximately the end of the Fall season 2020, to be funded through Project 4411606003; West Harbour Community Engagement; and,
- (c) That staff be authorized to prepare and execute all necessary agreements for implementation, in a manner and on terms and conditions deemed appropriate by the General Manager of the Planning and Economic Development Department, and in a form acceptable to the City Solicitor.

**SUBJECT: Pier 6 and 7 Land Disposition and Interim Activation Plan
(PED19191(a)) (Ward 2) - Page 2 of 6**

EXECUTIVE SUMMARY

On October 9, 2019, Council approved the General Issues Committee (GIC) Report which included the following motion from the West Harbour Development Sub-Committee Report 19-002:

“That staff be directed to immediately market the individual development blocks for Piers 6 and 7 for sale to the private sector”.

As noted in Report PED19191, the Council approved West Harbour Waterfront Recreation Master Plan (WHWRMP), envisions the transformation of the Pier 6 and 7 lands with significant investments in infrastructure and public space, with the potential of creating a new destination for the City.

Identified as a potential area for private sector investment, the WHWRMP envisioned four new development blocks to be created within the Pier 6 and 7 lands, along with the rehabilitation and/or replacement of the existing buildings that currently occupy the site as identified in Appendix “A” of Report PED19191(a).

Staff Report PED19191(a) identifies the general strategy to implement this Council direction to immediately market the individual development blocks for sale to the private sector; specifies a work plan and timelines for the execution; highlights several key background elements that are required prior to marketing the properties; and, commits to reporting back to the West Harbour Development Sub-Committee with the final sale documents for approval prior to going to market.

As well, recognizing the importance of placemaking within the public space of the Piers 5 to 8 lands prior to development, staff also seeks approval to select an external entity for the purposes of operating and programming temporary activations in 2020.

Alternatives for Consideration – N/A

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial:

There are no specific financial implications for recommendation (a) contained in Report PED19191(a). Recommendation (b) establishes a maximum of \$40,000, funded through Project 4411606003; West Harbour Community Engagement.

OUR Vision: To be the best place to raise a child and age successfully.

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OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.

**SUBJECT: Pier 6 and 7 Land Disposition and Interim Activation Plan
(PED19191(a)) (Ward 2) - Page 3 of 6**

Staffing:

It is anticipated that the recommendations will be implemented by existing West Harbour, Real Estate, and Tourism and Culture staff within the Planning and Economic Development Department.

Legal:

Legal Services will support the Council directions arising from this Report.

HISTORICAL BACKGROUND

On October 9, 2019, Council approved General Issues Committee (GIC) Report which included the following motion from the West Harbour Development Sub-Committee Report 19-002:

“That staff be directed to immediately market the individual development blocks for Piers 6 and 7 for sale to the private sector.”

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

N/A

RELEVANT CONSULTATION

N/A

ANALYSIS AND RATIONALE FOR RECOMMENDATION

The WHWRMP envisioned four new development blocks to be created within the Pier 6 and 7 lands, as identified in Appendix “A” of Report PED19191(a). The individual development blocks have specific land use designations and zoning requirements, are self-contained within a relatively small area, will be adjacent to city-owned public space, and are limited by both density and height restrictions.

Although the October 9, 2019 Council direction is clear, it is recognized that there are several steps to be taken to prepare the lands for disposition. Staff are currently assessing the most effective manner in which to bring these blocks to the market.

The following components are the minimum due diligence prerequisites to be completed:

- a) Completion of a Reference Plan and survey of the four development blocks;

**SUBJECT: Pier 6 and 7 Land Disposition and Interim Activation Plan
(PED19191(a)) (Ward 2) - Page 4 of 6**

- b) Identification of any environmental, soil stability, servicing and any other issues that may affect the constructability on the site;
- c) Land appraisal of the four development blocks; and,
- d) Establishment of the conditions to be incorporated into an agreement of purchase and sale.

The real estate land disposition approach will involve a structured offering process whereby the highest financial offer that meets certain conditions will be selected. Staff will review the individual blocks and assess whether they should be sold separately or as a bundle, and the anticipated timing of a phased development. As well, staff will prepare a set of conditions that will be clearly articulated to potential purchasers and will form part of any future Agreement of Purchase and Sale (APS). These conditions will include but not be limited to:

- i. specified time frame for commencement and completion of development;
- ii. specified approved commercial uses and/or tenancy parameters to ensure compatibility with the City's vision; as stated in the Setting Sail Secondary Plan, WHWRMP, and Urban Design Study, and other placemaking and activation goals for the Piers 6 and 7 areas;
- iii. identification of any acceptable and/or prohibited future requests to amend planning instruments for the development blocks; and,
- iv. limitations on the ability of any future owner unilaterally financially divesting the property.

Staff will report back to the Sub-Committee with recommendations on these offering plan and conditions by December 2019.

The following is a high-level assessment of anticipated timeframes:

i.	Undertake Due Diligence: -Survey -Studies -Appraisal -APS	Nov. 2019–Feb. 2020
ii.	Preparation of Conditions of Sale	Oct. 2019-Dec. 2019
iii.	Report to WHD Sub-Committee	Dec. 2019

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**SUBJECT: Pier 6 and 7 Land Disposition and Interim Activation Plan
(PED19191(a)) (Ward 2) - Page 5 of 6**

iv.	Develop Real Estate Marketing Documents	Feb. 2020
v.	Real Estate Listing Open Period	Feb. 2020-March 2020
vi.	Selection of Purchaser	April 2020
vii.	Purchaser Due Diligence Period	April-2020-July 2020
viii.	Property Closing Date	Dec. 2020

Additionally, staff recommends a short-term opportunity to engage an external entity for the purposes of operating and programming temporary uses within the Pier 6 and 7 lands in 2020.

The recommendation would direct staff from the Tourism and Culture Division to prepare and execute an agreement with an external entity to a maximum value of \$40 K for the purposes of operating and programming temporary animation of the Piers 5 to 8 lands. This agreement would include the rights to a short-term temporary licence at nominal amount, for the period beginning in the Spring season of 2020 to approximately the end of the Fall season 2020. This initiative would be funded through Project 4411606003; West Harbour Community Engagement.

Staff would also ensure that the terms of reference clearly identify the types of uses that would be acceptable to the City including any commercial, recreational, and public uses, the parameters of use including hours of operations, compliance to zoning and noise by-laws, as well as an identification of physical constraints such as electricity and sewage capacity.

ALTERNATIVES FOR CONSIDERATION – N/A

ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN

Strategic Priority #1

A Prosperous & Healthy Community

WE enhance our image, economy and well-being by demonstrating that Hamilton is a great place to live, work, play and learn.

Strategic Objective

- 1.1 Continue to grow the non-residential tax base.
- 1.3 Promote economic opportunities with a focus on Hamilton's downtown core, all downtown areas and waterfronts.

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**SUBJECT: Pier 6 and 7 Land Disposition and Interim Activation Plan
(PED19191(a)) (Ward 2) - Page 6 of 6**

APPENDICES AND SCHEDULES ATTACHED

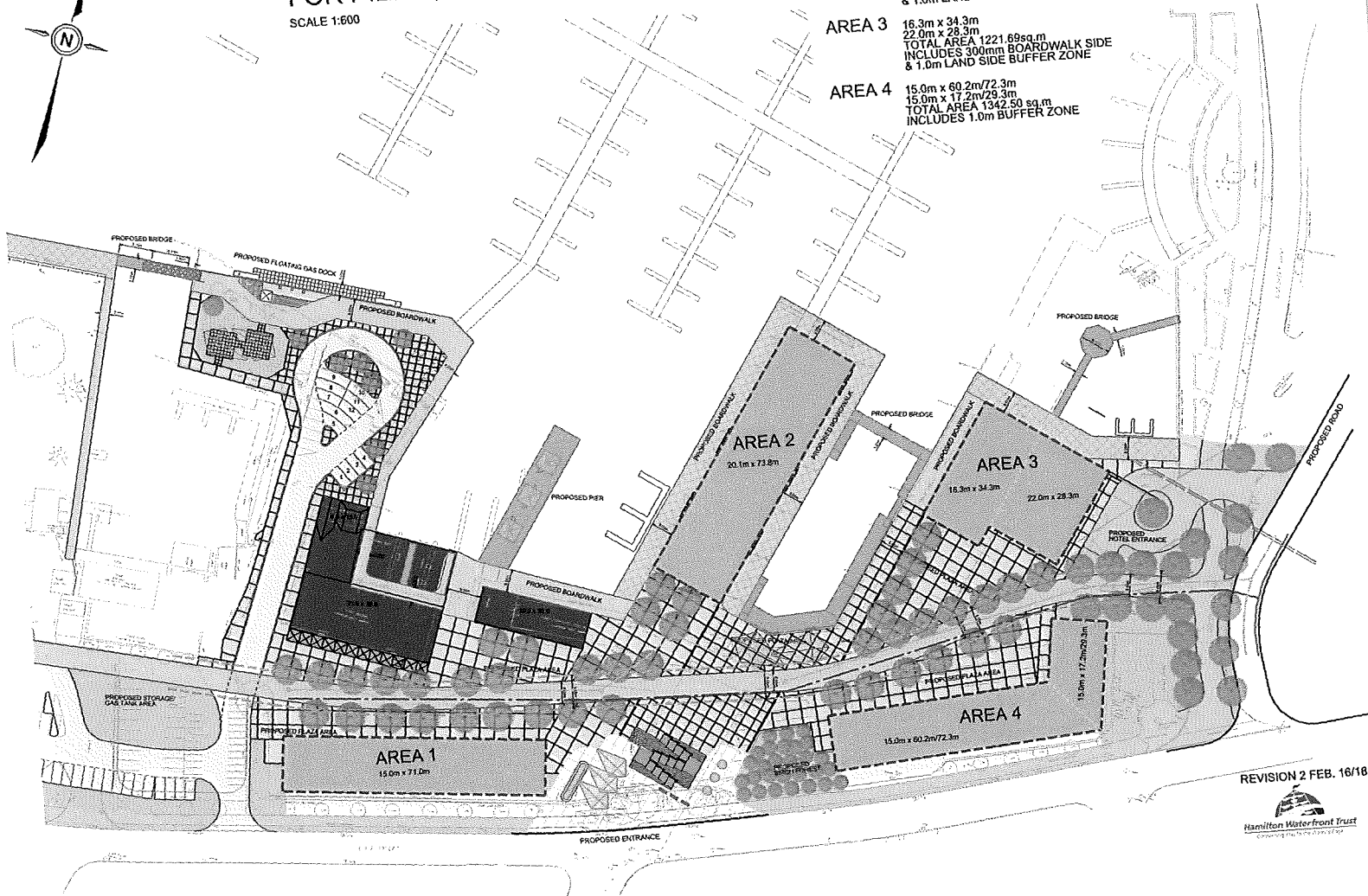
Appendix "A" to Report PED19191(a) – Pier 6 and 7 Site Map

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PLAN SHOWING
**PROPOSED BUILDING ENVELOPES
FOR PIER 5, 6 & 7**
SCALE 1:600

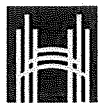


- AREA 1 15.0m x 71.0m
TOTAL AREA = 1065.00sq.m
INCLUDES 1.0m BUFFER ZONE
- AREA 2 20.1m x 73.8m
TOTAL AREA 1483.38sq.m
INCLUDES 300mm BOARDWALK SIDE
& 1.0m LAND SIDE BUFFER ZONE
- AREA 3 16.3m x 34.3m
22.0m x 28.3m
TOTAL AREA 1221.69sq.m
INCLUDES 300mm BOARDWALK SIDE
& 1.0m LAND SIDE BUFFER ZONE
- AREA 4 15.0m x 60.2m/72.3m
15.0m x 17.2m/29.3m
TOTAL AREA 1342.50 sq.m
INCLUDES 1.0m BUFFER ZONE



REVISION 2 FEB. 16/18





Hamilton

CITY OF HAMILTON
Public Works
Engineering Services Division

TO:	Chair and Members West Harbour Development Sub-Committee
COMMITTEE DATE:	October 22, 2019
SUBJECT/REPORT NO:	West Harbour Strategic Initiatives Piers 5-7 Public Realm Capital Works (PW19090) (Ward 2)
WARD(S) AFFECTED:	Ward 2
PREPARED BY:	Gavin Norman (905) 546-2424 ext. 4812
SUBMITTED BY:	Gord McGuire Director, Engineering Services
SIGNATURE:	

RECOMMENDATION(S)

- (a) That staff be authorized to direct the Hamilton Waterfront Trust to proceed with tenders for 100% of the previously approved Capital works, in the amount of \$13.5M, on Piers 5-7 for the following projects in 2019:
 - (i) Project ID 4411506107 – Piers 5-7 Marina Shoreline Rehab (Approved Budget \$10.2M); and
 - (ii) Project ID 4411606102 – Piers 5-7 Boardwalk (Approved Budget \$3.3M);
- (b) That staff be directed to make necessary modifications to the West Harbour Capital program to re-direct funding allocated to future projects to the Piers 5-7 Public Realm Project with the intent to not increase the overall program budget in years 2020-2022.

EXECUTIVE SUMMARY

At September 9, 2019 West Harbour Subcommittee, Council received report PW17075(c) "Status of West Harbour Implementation" at which staff identified a \$15.1M budget shortfall preventing the project from proceeding comprised of an \$11.5M shortfall in Phase 1 and a \$3.6M shortfall in Phase 3. Phase 1 of the project includes shorewall rehabilitation, a new boardwalk and fish habitat; Phase 3 of the project is an Artisan Village.

The purpose of this report is to:

SUBJECT: West Harbour Strategic Initiatives Piers 5-7 Public Realm Capital Works (PW19090) (Ward 2) - Page 2 of 6

- Recommend a plan that will allow the Piers 5-7 Public Realm Project to proceed;
- Be able to proceed with tenders in 2019 for Phase 1 of the Piers 5-7 Public Realm project outlined in this report; and
- Advise Council that additional funding required for the project will be processed through the 2020 Capital Budget in conjunction with changes to the West Harbour Capital Program.

The Waterfront Development Office, have identified a combination of changes to the West Harbour Capital Program and Budget that will allow phased construction of the Piers 5-7 Public Realm to proceed to tender in 2019. Staff has assessed the priority of remaining West Harbour projects and proposes that some projects be deferred to future years and others be modified or deleted from the program in order that necessary funds are available to complete Piers 5-7 Public Realm project. Staff also recommends using surplus funds from one project to address the shortfall. A summary of recommended changes is included in Appendix "A" to Report PW19090.

The recommended changes result in a smoothing out the Capital program over the remaining years to mitigate 2020 and 2021 Levy increases (Levy impact reduced by \$8.25M in 2020 and \$5.85M in 2021) - refer to chart in Appendix "B" to Report PW19090. With approval in principle of the above changes it is recommended that staff be given authority to direct the Hamilton Waterfront Trust to proceed with tenders for Phase 1 construction in 2019.

Alternatives for Consideration – See Page 5

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: The chart in Appendix "B" to Report PW19090 compares the West Harbour 2019 10-year Capital Forecast versus the updated 2020 10-year West Harbour Capital forecast. Staff have been able to smooth out the Capital program over the remaining years to mitigate 2020 and 2021 Levy increases (Levy impact reduced by \$8.25M in 2020 and \$5.85M in 2021) as well as incorporate funding from Development Charges (based on the 2019 DC Background Study).

Staffing: None

Legal: None

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SUBJECT: West Harbour Strategic Initiatives Piers 5-7 Public Realm Capital Works (PW19090) (Ward 2) - Page 3 of 6

HISTORICAL BACKGROUND

In June 2017, Council approved a Terms of Reference between the HWT and the City for the planning, design and construction of the Piers 5-7 Public Realm Projects valued at \$15.4M and comprised of:

- Piers 5-7 Marina Shoreline Rehabilitation;
- Piers 5-7 Boardwalk;
- Pier 6 Artisan Village; and
- Pier 7 Commercial Village.

The detailed design of the project is nearing completion. With an estimated cost of \$22.9M for Phase 1, staff has projected a budget shortfall (~\$11.5M); however, this phase of work is still subject to being tendered so the actual shortfall is not known. A budget shortfall has also been identified for Phase 3 (~3.6M) since it has been determined that the original intent of re-purposing two existing Port Authority buildings at Pier 6 is not feasible, so it will be necessary to replace them with at least one new building to complete the Artisan Village. Phase 2 is not anticipating a shortfall at this time; however, detailed cost estimates have not yet been developed. Total shortfall for Phase 1 and 3 is approximately \$15.1M.

At September 9, 2019 West Harbour Subcommittee, Council received report PW17075(c) "Status of West Harbour Implementation where staff identified the budget shortfall preventing Phase 1 of the project to proceed. As a result, staff were directed to revise the West Harbour Capital Program Budget through the reprioritization of projects within the program such that the Piers 5-7 project could proceed to construction.

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

N/A

RELEVANT CONSULTATION

Waterfront Development Office staff have consulted with staff from Financial Planning and Policy, Corporate Services to determine suitable revisions to the West Harbour Capital Program that will minimize impacts on the Levy and Development Charges Reserve.

ANALYSIS AND RATIONALE FOR RECOMMENDATION(S)

As a priority project of Council's, increasing capital funding to the Piers 5-7 project within the overall program budget affects the ability to deliver the remaining West Harbour projects. Phase 1 of the project (shoreline and boardwalk) requires a budget increase of approximately \$11.5M in order to proceed, while Phase 3 of the project

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SUBJECT: West Harbour Strategic Initiatives Piers 5-7 Public Realm Capital Works (PW19090) (Ward 2) - Page 4 of 6

(Artisan Village) requires a budget increase of approximately \$3.6M. Staff has assessed the priority of the remaining projects and proposes that some projects be deferred to future years and others be modified or deleted in order that necessary funds are available to complete Piers 5-7 Public Realm. In addition, surplus funds from other West Harbour projects can be used to address the funding shortfall. Recommended changes to the program include (also refer to Appendix "A" of Report PW19090):

- Bayview Park Redevelopment (\$2.49M) and Public Art (\$310K)
 - Redevelopment of Bayview Park (corner of Guise and MacNab) is predicated on a parking garage being implemented on this site (per the West Harbour Waterfront Recreation Master Plan); however, this site has since been eliminated from future consideration as a parking structure because the site is too small. It is recommended that this project be deleted and \$2.8M in savings be reallocated to Piers 5-7.
- Bayfront Park Upgrades Phase 2 (\$6.45M)
 - A well-established City park, much of the upgrades planned for Bayfront Park is predicated on a functional public swimming beach and public washrooms; however, Bayfront Park beach is closed indefinitely due to chronic water quality problems and is not anticipated to re-open in the short to medium term. It is recommended that \$6M of planned upgrades be reallocated to Piers 5-7 leaving \$450K in this project which can still be allocated to upgrades to the existing public washrooms.
- Pier 4 Park Trail and Pathway Upgrades (\$1.3M)
 - Pier 4 Park is a well-used high-quality facility that doesn't demonstrate a need for upgraded infrastructure in the near term. This project is recommended to be deferred indefinitely with savings reallocated to Piers 5-7.
- Macassa Bay Shoreline, Boardwalk and Trail (\$11.8M)
 - Staff is recommending that this project be deferred to 2022 and the budget for a new shoreline, boardwalk and trail be reduced by \$3.8M with savings reallocated to Piers 5-7. Opportunities exist to modify the scope of the project without materially changing the intent of the plan.
- Pier 8 Greenway (\$1.6M)
 - This project can be deferred to 2021 and future years and the scope of the project can be reduced by reducing the width of the corridor from 18m to 12m. This will translate to both a lower cost to construct and an increase in land area to sell for development. Savings found here could be reallocated to Piers 5-7.

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SUBJECT: West Harbour Strategic Initiatives Piers 5-7 Public Realm Capital Works (PW19090) (Ward 2) - Page 5 of 6

- Barton-Tiffany – Remediation of City-Owned Lands (\$1.1M surplus)
 - Phase 1 environmental soil investigations for the City-owned Barton Tiffany lands are complete and staff is not recommending further work as part of the land disposition process. There is currently an approximate \$1.1M surplus in the capital account that is recommended to be reallocated to the Piers 5-7 project.
- Macassa Bay Police Marine Unit facility (\$5.15M)
 - The Police Marine Unit has recently moved into a new temporary facility at Macassa Bay from Pier 7 in order that the Piers 5-7 project can proceed. Deferring construction of the permanent facility to 2024+ will allow the City to optimize the value of the investment made in the temporary structure. Funding for the permanent facility remains in the capital budget forecast.
- Bayfront Park Upgrades Phase 3 (\$810KM)
 - The park’s Phase 3 upgrade planned for 2021 is for a fountain at the park’s entrance. Staff recommends that his project be deferred with funding reallocated to planned washroom upgrades in Phase 2 with the intent to consider not just upgrading the existing washrooms but also construct new washrooms near the boat launch.

ALTERNATIVES FOR CONSIDERATION

An alternative for Council to consider is to not make changes to the program to accommodate the Piers 5-7 Public Realm Project; however, this would require an increase in the West Harbour capital budget of \$15.1M and would have an impact on both the Levy and the Development Charges Reserve. This alternative is not recommended.

Council could also consider various combinations of Piers 5-7 design changes and changes to the West Harbour program; however, this is not recommended as the option recommended by staff represents suitable changes to the program that will allow a key component of the waterfront redevelopment to proceed that will not unduly affect the overall delivery the West Harbour Waterfront Recreation Master Plan.

ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN

Community Engagement & Participation

Hamilton has an open, transparent and accessible approach to City government that engages with and empowers all citizens to be involved in their community.

Economic Prosperity and Growth

Hamilton has a prosperous and diverse local economy where people have opportunities to grow and develop.

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SUBJECT: West Harbour Strategic Initiatives Piers 5-7 Public Realm Capital Works (PW19090) (Ward 2) - Page 6 of 6

Healthy and Safe Communities

Hamilton is a safe and supportive city where people are active, healthy, and have a high quality of life.

Clean and Green

Hamilton is environmentally sustainable with a healthy balance of natural and urban spaces.

Built Environment and Infrastructure

Hamilton is supported by state of the art infrastructure, transportation options, buildings and public spaces that create a dynamic City.

APPENDICES AND SCHEDULES

Appendix "A" to Report PW19090 - Recommended Changes to West Harbour Capital Program

Appendix "B" to Report PW19090 - 2019 Capital Forecast versus 2020 Capital forecast (Net Levy Impact)

West Harbour Capital Program		Change in Program Funding
Projects to be Changed	Recommended Action	
Pier 5-7 Marina Shoreline Rehab (HWT)	Add \$2.7M in 2020/2021.	\$2,700,000
Pier 5-7 Boardwalk (HWT)	Add \$9.3M for boardwalk (\$4.5M in 2020 and \$4.8M in 2021). Defer pedestrian bridges until 2022.	\$9,300,000
Pier 6 Artisan Village (HWT)	Add \$600K in 2021 for design and \$3M in 2023 for new building.	\$3,600,000
Bayview Park Remediation and Redevelopment	Delete Project.	-\$2,490,000
Bayview Park Public Art	Delete Project.	-\$310,000
Bayfront Park Upgrades Ph2	Eliminate \$6M; leaving \$450K for washroom upgrades.	-\$6,000,000
Pier 4 Park Trail / Pathway Upgrades	Defer Indefinitely.	-\$1,330,000
Macassa Bay - Shoreline, Boardwalk, and Trail	Reduce scope by \$3.8M and defer implementation to 2022.	-\$3,755,000
Pier 8 Greenway	Defer from 2021 to 2023 and future years and reduce scope.	tbd
Barton-Tiffany Remediation	Reallocate surplus funds to Piers 5-7 Public Realm.	-\$1,100,000
Police Marine Facility Replacement	Defer construction to 2024+.	n/a
Bayfront Park Upgrades Ph3 (Entrance Fountain)	Reallocate funding to Bayfront Park Phase 2 Washroom Upgrades.	\$0

West Harbour Development

2019 Capital Forecast versus 2020 Capital Forecast (Net-Levy Impact) (\$000's)

	2020	2021	2022	2023	2024-2029	Total
2019 Capital Forecast (Net)	15,850	15,020	3,790	5,235	22,460	62,355
2020 Capital Forecast (Net)	7,600	9,170	10,670	9,400	37,580	74,420
Variance Sub Total +, (-)	8,250	5,850	(6,880)	(4,165)	(15,120)	(12,065)
2020 Capital Forecast Gross	10,350	9,170	10,670	9,400	37,580	77,170

*Development Charges are the main funding source impacting gross versus net capital



CITY OF HAMILTON
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
Planning Division

TO:	Chair and Members General Issues Committee
COMMITTEE DATE:	November 20, 2019
SUBJECT/REPORT NO:	GRIDS 2 and Municipal Comprehensive Review – Consultation Update and Employment Land Review (PED17010(f)) (City Wide)
WARD(S) AFFECTED:	City Wide
PREPARED BY:	Heather Travis (905) 546-2424 Ext. 4168
SUBMITTED BY:	Steve Robichaud Director, Planning and Chief Planner Planning and Economic Development Department
SIGNATURE:	

RECOMMENDATION

- (a) That Council receive the draft Employment Land Review Report, attached as Appendix “C” to Report PED17010(f); and,
- (b) That Council authorize staff to commence public consultation on the draft Employment Land Review Report, in addition to other GRIDS2 / MCR topics including intensification and density targets and that staff report back on the results of the consultation prior to the finalization of the Employment Land Review.

EXECUTIVE SUMMARY

Staff are seeking authorization to commence the second round of public consultation on the Growth Related Integrated Development Strategy update (GRIDS 2) and the Municipal Comprehensive Review (MCR). Staff will be seeking input from the public and stakeholders on intensification and density targets for the City, employment land review, and an evaluation framework for consideration of future growth options.

One component of the MCR and a part of the planned consultation is the review of the City’s employment lands to determine if any lands warrant conversion to a non-employment use. Staff have completed a draft Employment Land Review, attached as

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Appendix “C” to this report, and staff are seeking authorization to consult on the draft report with the public and stakeholders.

Alternatives for Consideration – See Page 11

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: N/A

Staffing: N/A

Legal: N/A

HISTORICAL BACKGROUND

The City is undertaking an update to the Growth Related Integrated Development Strategy (GRIDS), known as GRIDS 2, which is a long term growth strategy to allocate forecasted population and employment growth from 2031 to 2041. The forecasts for Hamilton project an increase of 40,000 jobs and 100,000 people between 2031 and 2041. A municipal comprehensive review (MCR) is a requirement of the Growth Plan for the Greater Golden Horseshoe and the Provincial Policy Statement (PPS) at the time of an Official Plan review to bring the City’s Official Plans into conformity with the Provincial planning documents. The MCR is broad and encompasses many inter-related components, and must be completed prior to any expansion of the urban boundary. Many of the studies that are required as part of the MCR are also part of a growth strategy. As such, the MCR is being completed concurrently with GRIDS 2, which has the benefit of combining the public and stakeholder consultation into one process, and efficiently using staff time and resources.

One component of the MCR is the Employment Land Review, which is a review of the City’s designated Employment Areas to determine if any of the areas warrant a redesignation to a non-employment use. In May, 2017, a call for public requests for employment land conversion was released which requested members of the public to submit requests for sites currently designated as Employment Area to be considered for possible conversion. The public call for requests was advertised in the Hamilton Spectator and the Realtors Association of Hamilton-Burlington, and staff presented at the Open for Business Sub-Committee on May 25, 2017 to increase awareness of the project and submission opportunity. The draft results of the Employment Land Review are attached as Appendix “C” to Report PED17010(f), and staff are seeking authorization to commence public consultation on the draft results.

The first round of public consultation on GRIDS2 / MCR was undertaken in May and June, 2018, and focussed on GRIDS background information, Major Transit Station Area (MTSA) Planning, and Urban Structure review. City staff are proposing a second

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round of public consultation, including a series of public open houses, scheduled for the last week of November and first week of December at locations across the City, to seek feedback not only on the Employment Land Review, but also on other growth matters including intensification and density targets.

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

Provincial Policy Statement (PPS), 2014

“1.1.3.3 Planning authorities shall identify appropriate locations and promote opportunities for *intensification* and *redevelopment* where this can be accommodated taking into account existing building stock or areas, including *brownfield sites*, and the availability of suitable existing or planned *infrastructure* and *public service facilities* required to accommodate projected needs.

1.1.3.5 Planning authorities shall establish and implement minimum targets for *intensification* and *redevelopment* within built-up areas, based on local conditions. However, where provincial targets are established through *provincial plans*, the provincial target shall represent the minimum target for affected areas.”

The PPS directs municipalities to promote opportunities for intensification and to implement minimum targets for intensification within built-up areas as established by provincial plans. For the City of Hamilton, the provincial plan providing direction is the Growth Plan (2019). The establishment of an appropriate intensification target for Hamilton will be one of the topics for discussion at the upcoming consultation events.

“1.3.2.2 Planning authorities may permit conversion of lands within *employment areas* to non-employment uses through a *comprehensive review*, only where it has been demonstrated that the land is not required for employment purposes over the long term and that there is a need for the conversion.”

The conversion of lands within designated employment areas to a non-employment use is only permitted as part of a comprehensive review, which the City is currently undertaking (MCR). The attached draft Employment Land Review report is responding to this requirement.

Growth Plan 2019

“2.2.2.1 By the time the next *municipal comprehensive review* is approved and in effect, and for each year thereafter, the applicable minimum intensification target is as follows:

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- a. A minimum of 50 per cent of all residential development occurring annually within each of the Cities of Barrie, Brantford, Guelph, Hamilton, Orillia and Peterborough and the Regions of Durham, Halton, Niagara, Peel, Waterloo and York will be within the *delineated built-up area*; and,
- 2.2.2.4 Councils of upper- and single-tier municipalities may request an alternative to the target established in policy 2.2.2.1 where it is demonstrated that this target cannot be achieved and that the alternative target will be appropriate given the size, location and capacity of the *delineated built-up area*.
- 2.2.2.5 The Minister may permit an alternative to the target established in policy 2.2.2.1. If council does not make a request or the Minister does not permit an alternative target, the target established in policy 2.2.2.1 will apply.”

The Growth Plan identifies the minimum intensification target for Hamilton of 50%. The target is a minimum target, and the City may plan for a higher target if it is deemed appropriate for the City. Conversely, the may apply for a lower target, which would require approval from the Minister. Through the next round of public consultation, staff will be seeking input from the public and stakeholders on an appropriate target for the City of Hamilton.

- “2.2.5.9 The conversion of lands within *employment areas* to non-employment uses may be permitted only through a *municipal comprehensive review* where it is demonstrated that:
- a. there is a need for the conversion;
 - b. the lands are not required over the horizon of this Plan for the employment purposes for which they are designated;
 - c. the municipality will maintain sufficient employment lands to accommodate forecasted employment growth to the horizon of this Plan;
 - d. the proposed uses would not adversely affect the overall viability of the *employment area* or the achievement of the minimum intensification and density targets in this Plan, as well as the other policies of this Plan; and
 - e. there are existing or planned *infrastructure* and *public service facilities* to accommodate the proposed uses.
- 2.2.5.10 Notwithstanding policy 2.2.5.9, until the next *municipal comprehensive review*, lands within existing *employment areas* may be converted to a designation that permits non-employment uses, provided the conversion would:

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- a. satisfy the requirements of policy 2.2.5.9 a), d) and e);
- b. maintain a significant number of jobs on those lands through the establishment of development criteria; and
- c. not include any part of an *employment area* identified as a *provincially significant employment zone.*”

Similar to the PPS, the *Growth Plan* requires that employment land conversions to non-employment uses may only be permitted through a municipal comprehensive review (MCR), and provides criteria to guide the evaluation of conversion considerations. A new policy (2.2.5.10) added to the 2019 Growth Plan permits employment land conversions outside of Provincially Significant Employment Zones (PSEZs) to be considered in advance of the completion of the MCR. Despite this new policy direction, it is the City’s intention to consider employment land conversion comprehensively as part of the MCR. The Employment Land Review attached as Appendix “C” considers all of the City’s employment areas, including those that are and are not identified as PSEZs, and evaluates potential conversion sites against the Growth Plan criteria identified in policy 2.2.5.9.

2.2.7.2 The minimum density target applicable to the *designated greenfield area* of each upper- and single-tier municipality is as follows:

- a. The Cities of Barrie, Brantford, Guelph, Hamilton, Orillia and Peterborough and the Regions of Durham, Halton, Niagara, Peel, Waterloo and York will plan to achieve within the horizon of this Plan a minimum density target that is not less than 50 residents and jobs combined per hectare; and

2.2.7.4 Councils of upper- and single-tier municipalities may request an alternative to the target established in policy 2.2.7.2 where it is demonstrated that the target cannot be achieved and that the alternative target will support the diversification of the total range and mix of housing options and the achievement of a more *compact built form* in *designated greenfield areas* to the horizon of this Plan in a manner that is appropriate given the characteristics of the municipality and adjacent communities.

2.2.7.5 The Minister may permit an alternative to the target established in policy 2.2.7.2. If council does not make a request or the Minister does not permit an alternative target, the target established in policy 2.2.7.2 will apply.”

The Growth Plan identifies the minimum density target for new development in the City’s designated greenfield area (areas within the urban boundary but outside of the built-up area) to be 50 persons and jobs per hectare(pjh). Similar to the intensification target, the density target is a minimum and the municipality may plan for a higher target

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if it is deemed appropriate. Through the next round of public consultation, staff will be seeking input from the public and stakeholders on an appropriate target for the City of Hamilton.

Urban Hamilton Official Plan

“A.2.3.3.3 Greenfield areas shall be planned to achieve an overall minimum density of 50 people and jobs per hectare. The greenfield density target shall be measured over Hamilton’s greenfield area, excluding natural heritage features designated in this Plan. The greenfield area includes designated employment areas. On employment lands, the City shall plan to meet a density target of 37 people and jobs per hectare. On non-employment lands, densities will need to achieve a minimum average density of 70 persons and jobs per hectare to meet the overall density target.

A.2.3.3.4 Hamilton is required to plan to achieve a minimum of 40% of all residential development occurring annually within its built-up area by 2015. A total of 26,500 units are to be accommodated within the built-up area between 2001 and 2031. The built-up area for Hamilton is identified on Appendix G.

B.2.4.1.1 Residential intensification shall be encouraged throughout the entire built-up area, in accordance with the policies of Chapter E – Urban Systems and Designations and Chapter F – Implementation.

B.2.4.1.2 The City’s primary intensification areas shall be the Urban Nodes and Urban Corridors as illustrated on Schedule E – Urban Structure and as further defined in secondary plans and corridor studies for these areas, included in Volume 2.

The UHOP contains policies relating to intensification and density targets that are consistent with the former version of the Growth Plan (2006) which had identified a 40% intensification target and a greenfield density target of 50 pjh for the City of Hamilton. As noted above, Through the next round of public consultation, staff will be seeking input from the public and stakeholders on an appropriate target for the City of Hamilton.

E.5.1.2 Maintain an adequate supply of zoned and serviced employment lands of varying parcel sizes in various locations to meet the City’s projected employment growth forecast and to promote economic development and competitiveness.

E.5.1.4 Protect lands designated Employment Area from non-employment uses and to support the employment functions of the City’s Downtown, nodes and corridors. New major retail uses shall be prohibited and office uses shall be restricted in function and scale.

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- E.5.2.4 Uses permitted in the Employment Area designations may include clusters of business and economic activities such as, manufacturing, research and development, transport terminal, building or contracting supply establishment, tradesperson’s shop, warehousing, waste management facilities, private power generation, limited agricultural uses, office, and accessory uses. Ancillary uses which primarily support businesses and employees within the Employment Area may also be permitted. Permitted uses specific to the four Employment Area designations are contained in Policies E.5.3.2, E.5.4.3, E.5.5.1, E.5.5.2 and E.5.6.1. (OPA 23) (OPA 109)
- F.1.1.10 The City shall consider if there is a need to undertake a Municipally Initiated Comprehensive Review, at the time of an official plan review. To determine the need for a review, the City shall have regard for the following matters:
- a) any changes to the population and employment growth targets as prescribed by provincial legislation; or,
 - b) any changes to provincial policy or legislation; or,
 - c) the amount of employment and/or non-employment land to meet the projected needs for up to 20 year time horizon; or,
 - d) any major Official Plan policies which are outdated.
- F.1.1.11 In addition to the policies of the Growth Plan for the Greater Golden Horseshoe respecting the potential conversion of employment sites, the City may prepare and apply a set of criteria to determine the potential employment conversion sites or identification of regeneration areas.”

The UHOP contains policy goals relating to the protection of employment lands for employment uses and identifies the uses to be permitted within employment areas. The UHOP also provides policy direction related to the review of employment lands through the MCR, and notes that the City may establish additional criteria to that of the Growth Plan to guide the review of potential conversion sites. The draft Employment Land Review attached as Appendix “C” responds to this policy direction and utilizes criteria established by the City, in addition to the Growth Plan criteria, to evaluate conversion sites.

RELEVANT CONSULTATION

Staff are seeking authorization to commence public consultation on the attached draft Report.

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ANALYSIS AND RATIONALE FOR RECOMMENDATION

1.0 Upcoming consultation events

The first round of public consultation on GRIDS2 / MCR was undertaken in May and June, 2018, and focussed on GRIDS background information, Major Transit Station Area (MTSA) Planning, and Urban Structure review. City staff are proposing a second round of public consultation, including a series of public open houses, scheduled for the last week of November and first week of December at locations across the City. The details are:

Date	Location	Time
Tuesday, November 26, 2019	David Braley Centre Auditorium 100 Main St W, Hamilton	2 – 4 pm 6 – 8 pm
Thursday, November 28, 2019	Battlefield House Museum & Park 77 King St W, Stoney Creek	2 – 4 pm 6 – 8 pm
Monday, December 2, 2019	Dundas Town Hall Auditorium 60 Main Street, Dundas	2 – 4 pm 6 – 8 pm
Wednesday, December 4, 2019	St. Naum of Ohrid Macedonian Orthodox Church 1150 Stone Church Road East, Hamilton	2 – 4 pm 6 – 8 pm

The topics to be considered at the open houses will focus on:

- Intensification – topics will include an explanation of intensification and the intensification target, consideration of an appropriate target for Hamilton, and the implications of a higher or lower target. Staff are seeking feedback from members of the public on Hamilton’s future minimum intensification target;
- Designated Greenfield Area density – topics will include an explanation of the Designated Greenfield Area and the density target, a demonstration of what increased density looks like, and the implications of a higher or lower target. Staff are seeking input into the consideration of an appropriate density target for new communities in Hamilton;
- Employment Land Review – draft results of staff’s review of employment lands and conversion requests will be provided, including recommendations for conversion

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sites. The public, including individuals that submitted a request for conversion, will have an opportunity to comment on the draft results; and,

- Evaluation framework for new growth areas – if the City's completed Land Needs Assessment identifies a requirement for settlement boundary expansion, the next phase of GRIDS 2 / MCR will include a consideration of growth options. Staff are seeking feedback on important considerations to include as part of the future evaluation framework for growth options, including the use of the GRIDS 9 Directions to Guide Development as a guiding framework.

2.0 Upcoming stakeholder event

A stakeholder working group has been established to provide feedback and input into the GRIDS 2 / MCR project. The following members were invited to join the stakeholder group:

- Conservation Authorities;
- Niagara Escarpment Commission;
- Environment Hamilton;
- Greenbelt Foundation;
- Agricultural and Rural Affairs;
- School Boards;
- Housing interest groups;
- Cultural Roundtable ;
- Business Improvement Areas;
- Chambers of Commerce;
- Realtors Association of Hamilton-Burlington;
- Hamilton-Halton Homebuilders Association; and,
- Hamilton Burlington Society of Architects.

One stakeholder event has been held to date, in June 2018. A second event is scheduled for December 16, 2019, to focus on the same matters of consideration as presented at the Open Houses, with particular focus on appropriate intensification and density targets for the City, and input into the evaluation framework for review of growth options. The broad range and depth of experience amongst the stakeholder group provides valuable input on these important topics.

3.0 Draft Employment Land Review

One component of the MCR is the Employment Land Review, which is a review of the City's designated Employment Areas to determine if any of the areas warrant a redesignation to a non-employment use. Employment Areas are afforded special protection by Provincial policy. The Growth Plan 2019 introduced the new term of

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**SUBJECT: Provincial Policy Statement Review – City of Hamilton Comments
(PED19188) (City Wide) - Page 10 of 11**

Provincially Significant Employment Zones (PSEZs). PSEZs are defined by the Minister for the purpose of long term planning for job creation and development. In Hamilton, the Bayfront and East Hamilton Industrial Areas, Stoney Creek and Red Hill North and South Business Parks, and the Airport Employment Growth District are identified as PSEZs. Lands within a PSEZ can only be converted to a non-employment designation through the MCR process. Employment Areas outside of a PSEZ may be converted to a non-employment designation outside of the MCR process provided certain criteria is met. For the purpose of the Employment Land Review, City staff reviewed all Employment Areas comprehensively, both within and outside of PSEZs.

City staff undertook a review of the City's designated Employment Areas with a focus on sites / areas at the edge of employment areas which are mixed use or contain existing non-employment land uses. Staff also reviewed the residential enclaves (residential areas within the designated Employment Areas) to determine if any policy and / or zoning updates were required on those lands.

In addition, in May, 2017, a call for public requests for employment land conversion was released which requested members of the public to submit requests for sites currently designated as Employment Area to be considered for possible conversion. A total of 19 requests were submitted for conversion consideration.

The draft results of City staff's Employment Land Review are attached as Appendix "C" to this report. The Employment Land Review is comprised of three components:

- Employment Land Review: Review of Employment Areas, with focus on edges and mixed-use areas of older industrial parks;
- Appendix "A" to Employment Land Review: Residential enclaves review; and,
- Appendix "B" to Employment Land Review: Response to Requests for Conversion.

In summary, the Employment Land Review has identified 43.85 ha of land that merits consideration by Council for conversion to a non-employment designation. The majority of the recommended conversion sites contain long-standing residential or commercial uses, and the conversion will recognize the existing situation. Included within this 43.85 ha is the "Margaret" residential enclave, which is being recommended for conversion to a Neighbourhoods designation in keeping with the existing zoning of that enclave.

With regards to the requests for conversion, staff reviewed the requests against criteria identified in the Growth Plan as well as criteria established by the City to determine if conversion was warranted. Staff are recommending support of 2 conversion requests in full and 2 requests in part. Three requested conversion sites are being deferred for consideration due to being adjacent to rural lands which may be considered as future growth options during a later phase of the MCR, and therefore the conversion request will be considered at that time.

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**SUBJECT: Provincial Policy Statement Review – City of Hamilton Comments
(PED19188) (City Wide) - Page 11 of 11**

A breakdown of the recommended conversion sites by ward is attached as Appendix “A” and a mapping summary of the recommended conversion sites is attached as Appendix “B” to this report.

The draft Employment Land Review is attached as Appendix “C” to Report PED17010(f). Staff are requesting Council to receive the report and authorize staff to consult on the draft recommendations contained within the report. Following consultation, staff will make any required edits and the final report will be brought forward for approval at a future committee date with a recommended course of action.

ALTERNATIVES FOR CONSIDERATION

Council could not authorize staff to commence consultation on the attached draft Report or other matters including intensification and density targets.

ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN

Economic Prosperity and Growth

Hamilton has a prosperous and diverse local economy where people have opportunities to grow and develop.

Clean and Green

Hamilton is environmentally sustainable with a healthy balance of natural and urban spaces.

Built Environment and Infrastructure

Hamilton is supported by state of the art infrastructure, transportation options, buildings and public spaces that create a dynamic City.

APPENDICES AND SCHEDULES ATTACHED

- Appendix “A” – Summary of draft recommended Employment Land conversion sites by Ward
- Appendix “B” – Mapping summary of draft recommended Employment Land conversion sites
- Appendix “C” – Draft Employment Land Review Report

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Summary of Recommended Conversion Sites by Ward**Ward 3**

Address	Existing Land Use	Area (ha)	Recommendation
390 Victoria Ave	Vacant, parking	0.2	Neighbourhoods, (site specific policy)
15 – 121 Shaw St (odd only)	Residential, vacant, parking, commercial (office)	0.96	Neighbourhoods
360 – 368 Emerald St (even only)	Residential	0.05	Neighbourhoods
6 – 16 Douglas Ave (even only)	Residential, community garden	0.1	Neighbourhoods
83 – 105 Cheever St (odd and even)	Residential	0.2	Neighbourhoods
110- 166 Burton St	Residential	0.4	Neighbourhoods
286 Sanford Ave	Commercial – office, vacant	0.2	Neighbourhoods (site specific policy)
42 Westinghouse Ave	Vacant, parking	0.5	Neighbourhoods (site specific policy)
268 – 276 Sanford Ave N & 13 – 23 Westinghouse Ave	Residential, vacant	0.3	Neighbourhoods
43 Lloyd Street	Vacant, industrial (automotive repair), residential	4.6	Neighbourhoods
221 Gage Ave N	Retail	0.4	Neighbourhoods
39 – 67 Lloyd St	Residential, vacant	0.65	Neighbourhoods

Ward 3 Total Area: 8.56ha

Ward 4

Address	Existing Land Use	Area (ha)	Recommendation
401 Parkdale Ave N	Commercial - industrial	1.1	Arterial Commercial
300 Parkdale Ave N	Utilities – Hydro One	0.1	Arterial Commercial
308 Parkdale Ave N	Warehousing	0.1	Arterial Commercial
324 Parkdale Ave N	Commercial – Auto sales and rentals (Hyundai)	0.8	Arterial Commercial
350 Parkdale Ave N	Commercial – Auto sales and rentals (Ford)	2.0	Arterial Commercial
380 Parkdale Ave N	Commercial – Service/Auto Repair (Eastgate Collision)	0.1	Arterial Commercial
1811 Barton St E	Commercial – Sales (Spar-Marathon Roofing)	0.6	Arterial Commercial
1831 Barton St E	Commercial – Truck dealer	1.0	Arterial Commercial
85 Division St & 77 – 79 Merchison Ave	Vacant	0.5	Neighbourhoods (site specific policy)
166 – 180 Harmony Ave	Residential	0.15	Neighbourhoods

Ward 4 Total Area: 6.45 ha**Ward 5**

Address	Existing Land Use	Area (ha)	Recommendation
2255 Barton St E	Commercial – Plaza with restaurant, grocery	2.4	Arterial Commercial
2275 Barton St E	Industrial - U-Haul self-storage	1.1	Arterial Commercial
2289 Barton St E	Commercial – Hall/ Sports Club, Ultimate Cycle	1.3	Arterial Commercial
2311 and 2333 Barton St E	Commercial – Car dealership (Toyota)	1.6	Arterial Commercial
2243 Barton St E	Industrial – (Fellfab)	0.7	Arterial Commercial

2345 Barton St E	Commercial - Tint Boyz, M&R Automotive	0.3	Arterial Commercial
305 & 307 Kenora Ave	Commercial – Billy Buff Auto Spa	0.1	Arterial Commercial
311 Kenora Ave	Industrial - Hess Millwork	0.2	Arterial Commercial
315 Kenora Ave	Industrial - Warehousing	0.2	Arterial Commercial
310 Kenora Ave	Industry – Modern Training Ontario – Truck/Forklift	0.3	Arterial Commercial
2371 Barton St E	Commercial (Food store – Lococo's)	0.9	Arterial Commercial
2399 Barton St E	Industrial (Appears Vacant)	1.8	Arterial Commercial
2493 Barton St E	Industrial – Speedy Glass, Mian Grocer, Young Kings Detailer, Krishna Sweets, Greco's Auto Repair	0.2	Mixed Use – High Density

Ward 5 Total Area: 11.1 ha

Ward 6

Address	Existing Land Use	Area (ha)	Recommendation
1423 Upper Ottawa St	Commercial Plaza	0.6	District Commercial
1439 Upper Ottawa St	Commercial Plaza	0.7	District Commercial
1447 and 1453 Upper Ottawa St	Commercial Plaza	0.8	District Commercial
1475 Upper Ottawa St	Institutional/Commercial – Plaza Mall, McMaster Family Health Centre	0.9	District Commercial
1515 Upper Ottawa St	Commercial Plaza	0.3	District Commercial
1521-1527 Upper Ottawa St	Commercial Plaza	0.9	District Commercial
1555 Upper Ottawa St	Commercial Plaza (Banquet Hall)	1.4	District Commercial

Ward 6 Total Area: 5.6 ha

Ward 10

Address	Existing Land Use	Area (ha)	Recommendation
Margaret Enclave (320 – 352 Millen Rd, 318 – 352 Margaret Ave, 413 – 431 Barton St)	Residential	5.0	Neighbourhoods

Ward 10 Total Area: 5.0 ha

Ward 15

Address	Existing Land Use	Area (ha)	Recommendation
Portions 56 Parkside Drive, 90 and 96 Parkside Drive and 546 Hwy 6	Natural open space	6.0	Open Space

Ward 15 Total Area: 6.0 ha

Employment Area Conversion Sites - Bayfront 1

Employment Area Conversion Sites


- Area 1
- Area 2
- Area 3

Area 1: 390 Victoria Ave N,
 15-121 Shaw St (odd only)
 360-368 Emerald St (even only)
 6-16 Douglas Ave (even only)
 83-105 Cheever St (odd and even)
 110-166 Burton St (even only)


Area 2: 268-286 Sanford Ave N (even only)
 13-23 Westinghouse Ave (odd only)
 42 Westinghouse Ave


Area 3: 36-67 Lloyd St (odd only)
 221 Gage Ave N

Date: 10/03/19



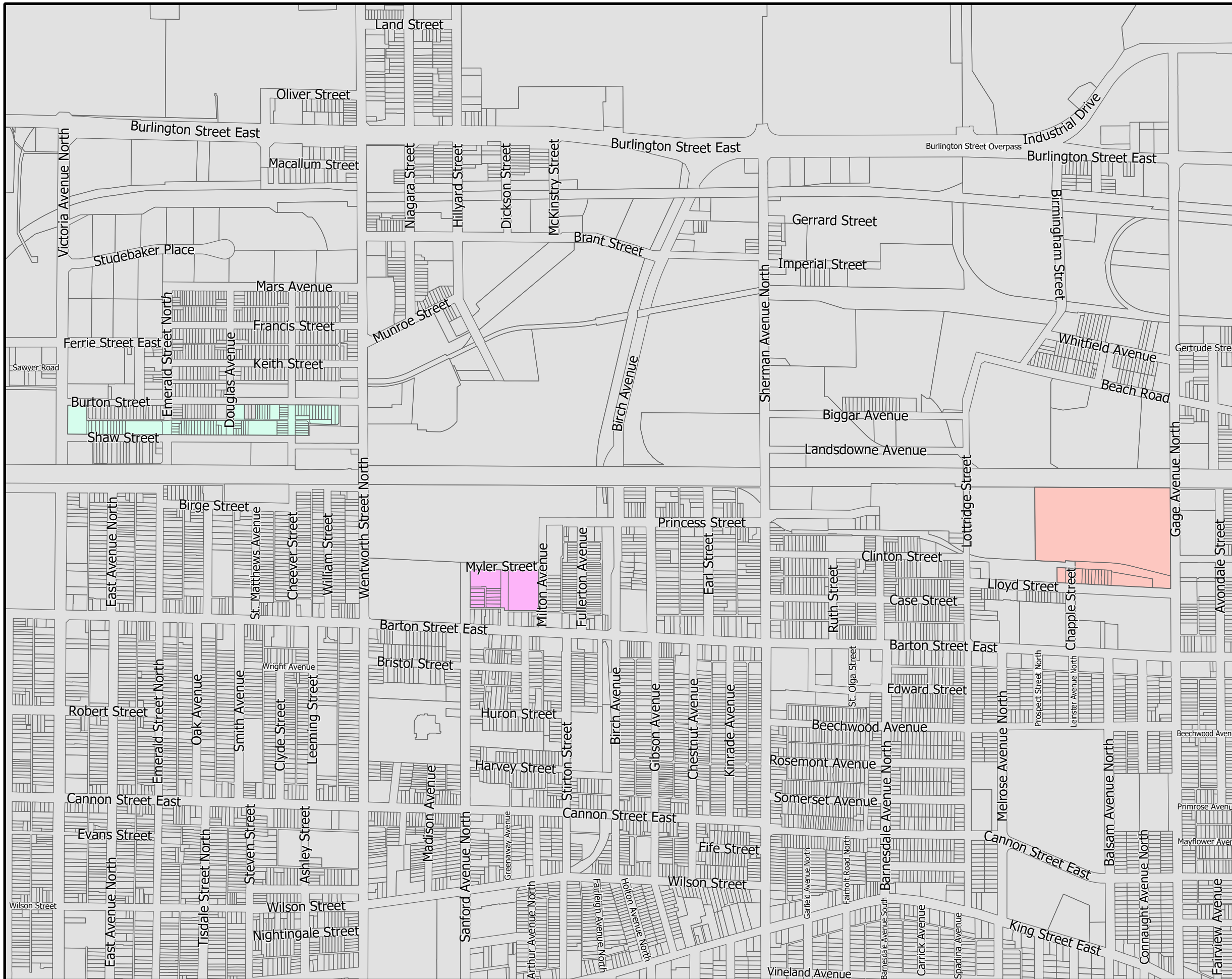
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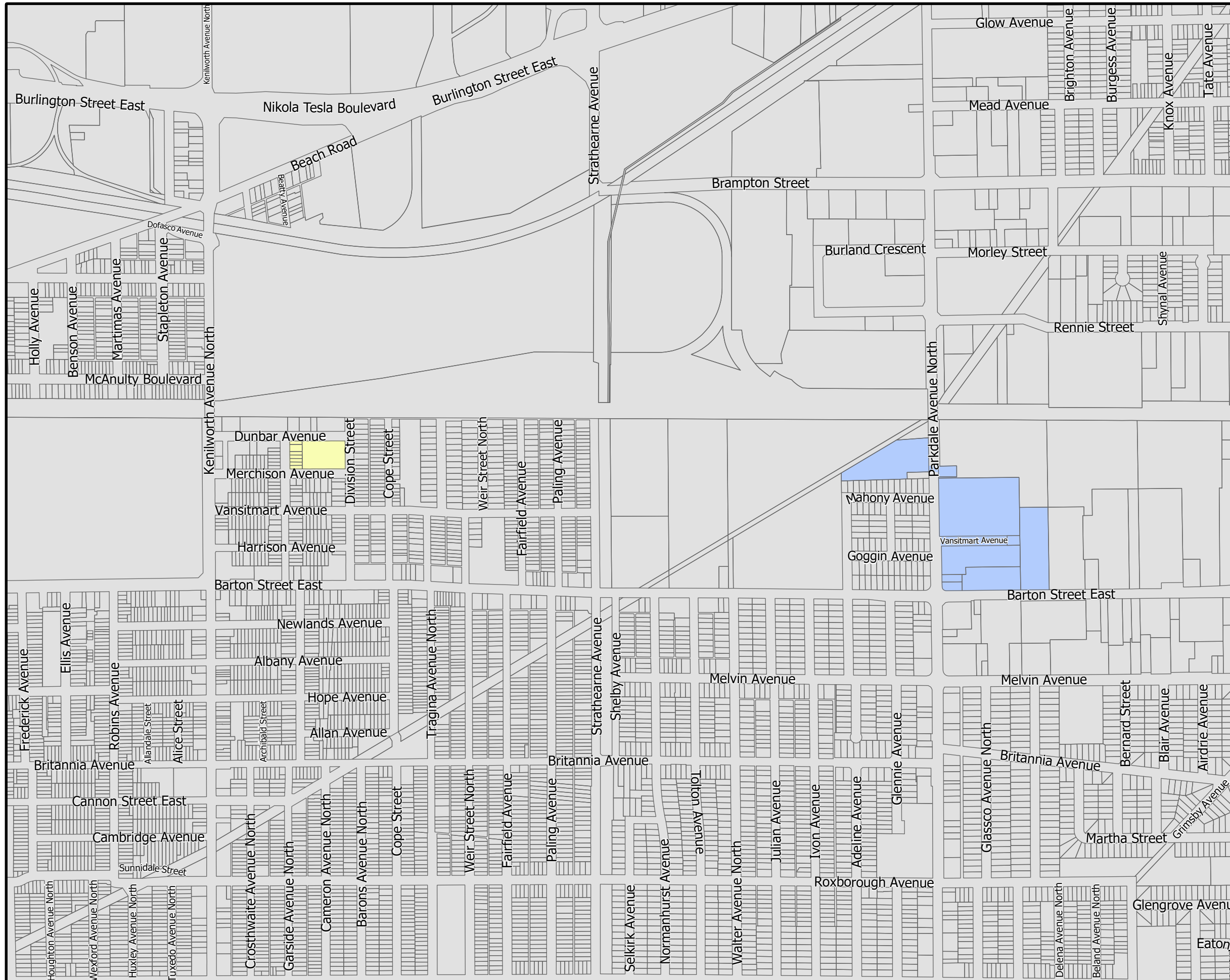




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Employment Area Conversion Sites - Bayfront 2


Employment Area Conversion Sites

- Area 4
- Area 5

Area 4: 401 Parkdale Ave N
 300-380 Parkdale Ave N (even only)
 1811 Barton St E
 1831 Barton St E

Area 5: 85 Division St
 77-79 Merchison Ave
 166-180 Harmony Ave (even only)

Date: 10/22/19



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Employment Area Conversion Sites - East Hamilton

Employment Area Conversion Sites


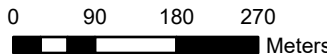
Area 1

Area 1: 2255 - 2399 Barton St E (odd only)
2493 Barton St E
305-315 Kenora Ave
Southernly portion of 2 Arrowsmith Rd

Date: 10/22/19

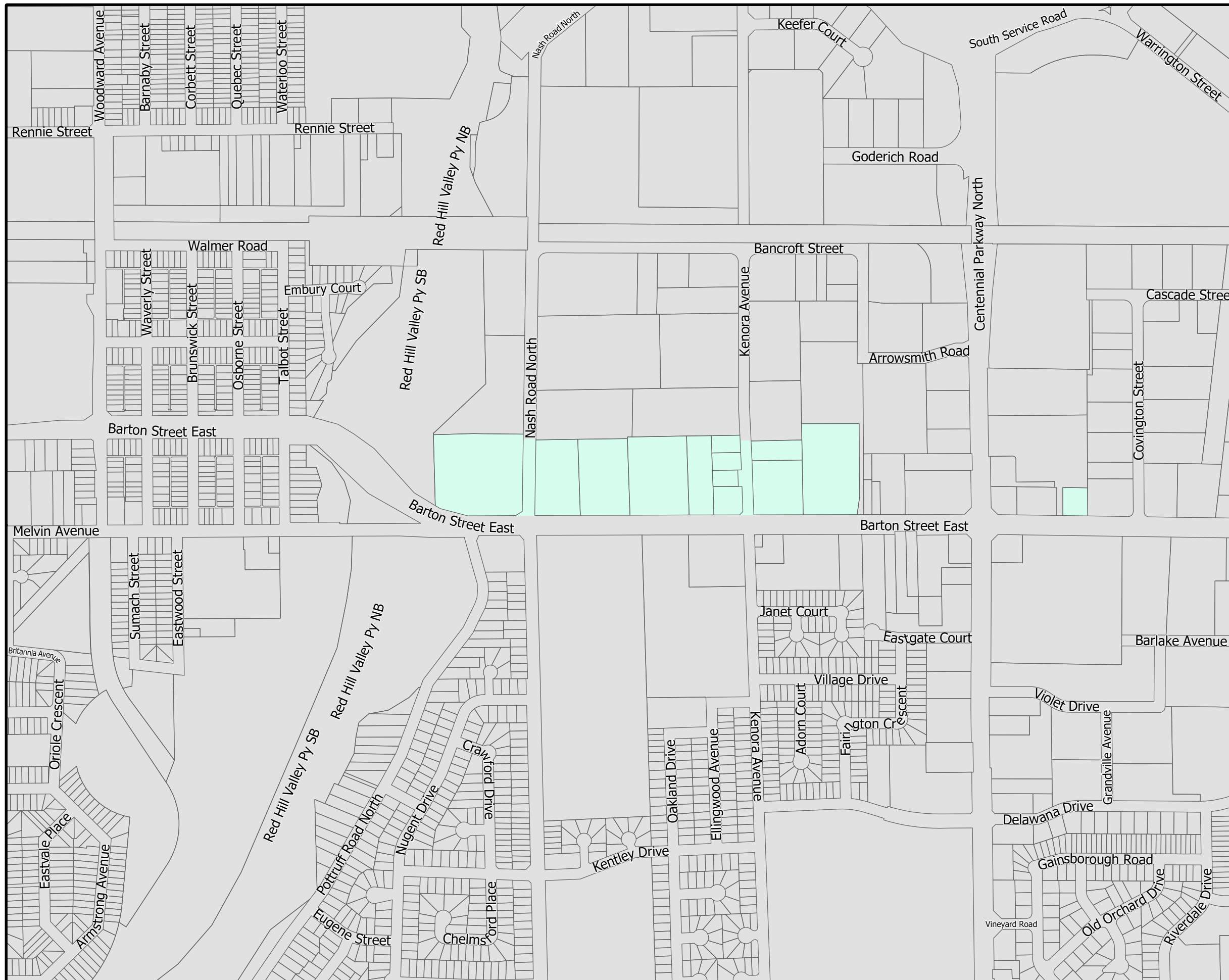


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Employment Area Conversion Sites - Stoney Creek

Employment Area Conversion Sites


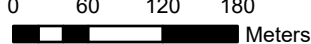
Area 1

Area 1: 320-352 Millen Rd (even only)
318-352 Margaret Ave
413-431 Barton St

Date: 10/21/19

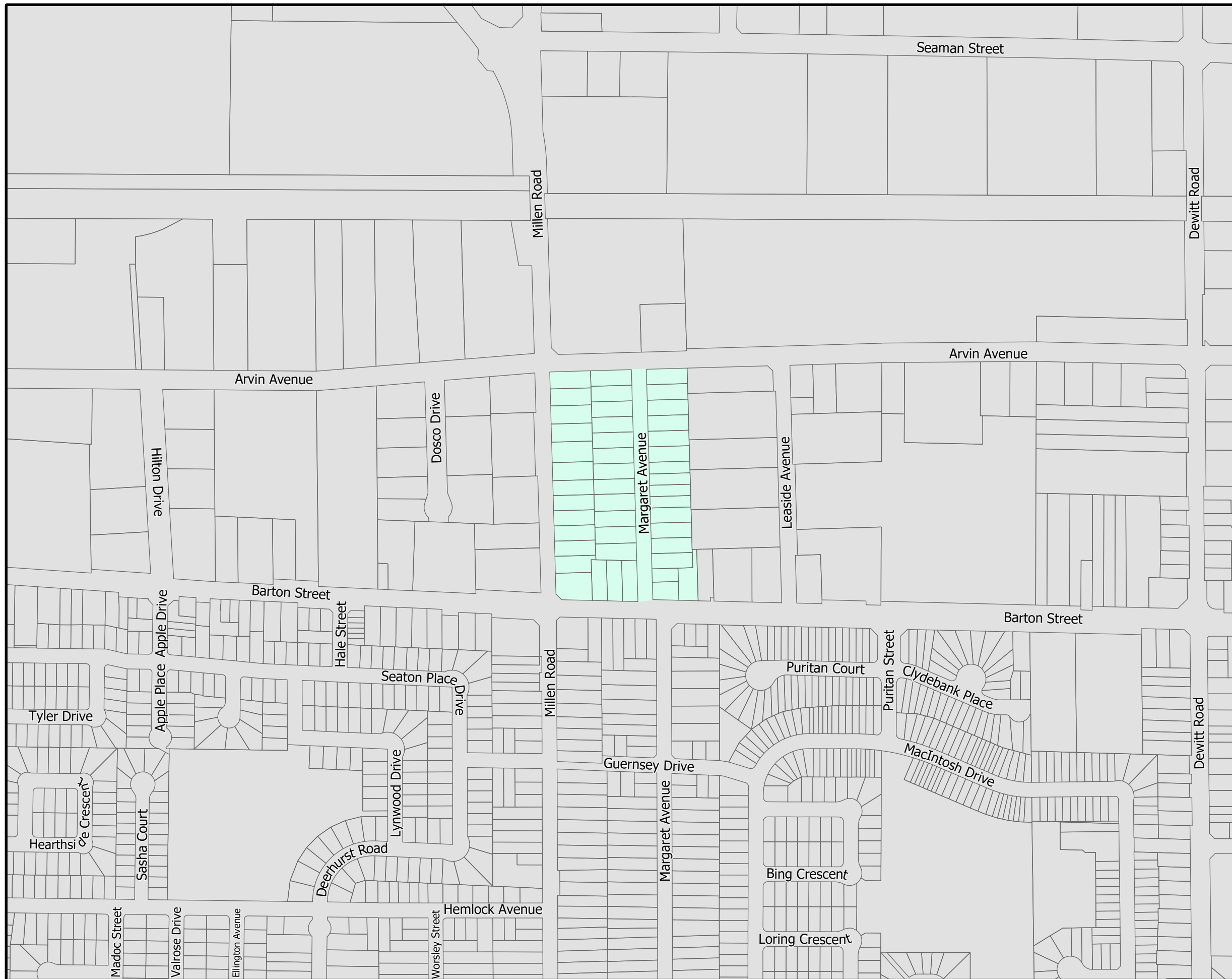


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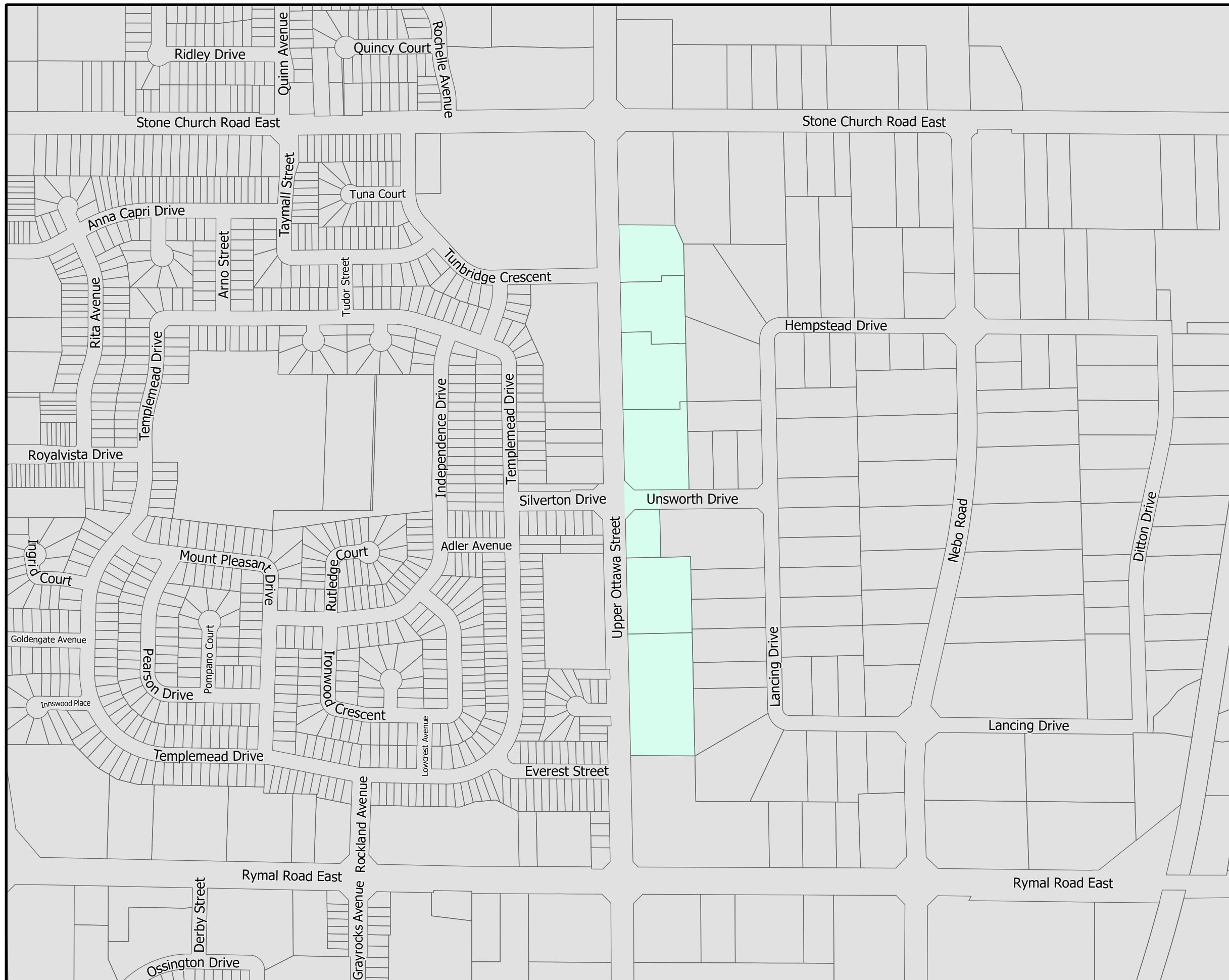


Employment Area Conversion Sites - Red Hill


Employment Area Conversion Sites

 Area 1


Area 1: 1423-1555 Upper Ottawa St (odd only)



Date: 10/03/19

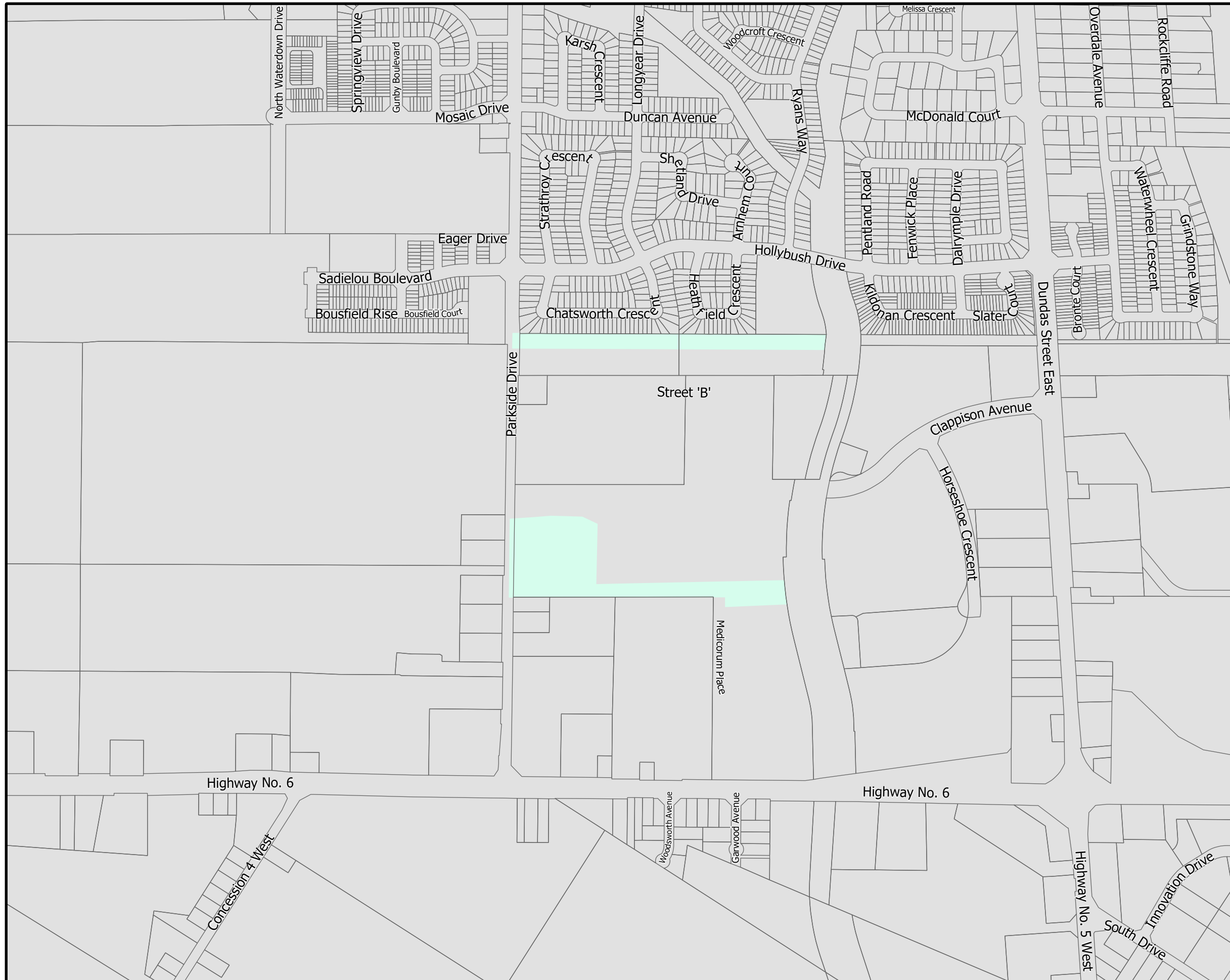


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Employment Area Conversion Sites - Flamborough

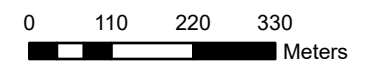
Employment Area Conversion Sites

Area 1

Area 1: Portions of 56, 90, & 96 Parkside Dr
546 Hwy 6



Date: 10/03/19



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CITY OF HAMILTON: EMPLOYMENT LAND REVIEW

OCTOBER, 2019



CITY OF HAMILTON

EMPLOYMENT LAND CONVERSION ANALYSIS

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Appendix A – Residential Enclaves Review

Appendix B – Requests for Conversion Analysis and Recommendations

1. INTRODUCTION

1.1 PURPOSE OF REPORT AND BACKGROUND INFORMATION

The purpose of this analysis is to review lands designated “Employment Area” within the Urban Hamilton Official Plan (UHOP) and identify any lands that may warrant conversion to non-employment uses. This review addresses lands along the margins of existing Employment Areas within the City of Hamilton where land uses may have morphed over time and the existing Employment Area designation may no longer be appropriate. A rigorous application of established conversion criteria serves as a guide in determining which lands are most appropriate for conversion. The output of this analysis is a list of recommended conversion sites that will be brought forward to Council for consideration in Winter 2020.

Provincial Policy Framework, Requirements, and Municipal Comprehensive Review

Provincial Policy Statement, 2014

The Provincial Policy Statement (PPS) provides land use planning direction related to employment areas. The PPS requires planning authorities to plan for, protect and preserve employment areas for current and future uses. Further, policy 1.3.2.2 addresses conversion of employment lands:

“Planning authorities may permit conversion of lands within *employment areas* to non-employment uses through a *comprehensive review*, only where it has been demonstrated that the land is not required for employment purposes over the long term and that there is a need for the conversion.”

A comprehensive review as defined by the PPS is an official plan review initiated by a municipality based on a review of population and employment projections, which considers alternative directions for growth and development, and how best to accommodate development while protecting the provincial interest. As noted in policy 1.3.2.2, conversion of employment lands may only be permitted through this municipally-initiated process.

The Growth Plan, 2019 provides further direction in this regard.

Growth Plan 2019

The *Growth Plan for the Greater Golden Horseshoe (2019)* identifies the role that Hamilton will serve in accommodating employment in the Greater Golden Horseshoe region. The *Growth Plan* sets out population and employment forecasts for Hamilton to

the year 2041. In order to meet these forecasts, the City of Hamilton needs to identify and designate an adequate supply of employment land suitable for a variety of employment uses that can accommodate employment growth to the year 2041.

The *Growth Plan* also provides the planning framework for protection of the long term supply of employment land. Policy 2.2.5.9 of the *Growth Plan* requires that employment land conversions to non-employment uses may only be permitted through a municipal comprehensive review (MCR). The MCR is the process undertaken by a municipality to update the municipal Official Plan to conform to the policies of the Growth Plan and other provincial plans. The MCR will result in a municipally-initiated Official Plan Amendment which comprehensively applies the policies of the Growth Plan.

Conversion criteria are set out in Growth Plan Policy 2.2.5.9, as follows:

“The conversion of lands within *employment areas* to non-employment uses may be permitted only through a *municipal comprehensive review* where it is demonstrated that:

- a) there is a need for the conversion;
- b) the lands are not required over the horizon of this Plan for the employment purposes for which they are designated;
- c) the municipality will maintain sufficient employment lands to accommodate forecasted employment growth to the horizon of this Plan;
- d) the proposed uses would not adversely affect the overall viability of the employment area or the achievement of the minimum intensification and density targets in this Plan, as well as the other policies of this Plan; and
- e) there are existing or planned *infrastructure* and *public service facilities* to accommodate the proposed uses.”

The Growth Plan, 2019 introduced the concept of Provincially Significant Employment Zones (PSEZs). PSEZs are employment areas identified by the Province for the purpose of long term employment planning and economic development. In Hamilton, three of the City’s employment areas have been identified as PSEZs:

- Bayfront Industrial Area, East Hamilton Industrial Area and Stoney Creek Business Park;
- Red Hill North and South Business Parks; and,
- Airport Employment Growth District.

Additional PSEZs may be identified in the future.

The Growth Plan provides additional direction regarding Employment Land conversion for lands outside of the PSEZs in Policy 2.2.5.10:

“Notwithstanding policy 2.2.5.9, until the next *municipal comprehensive review*, lands within existing *employment areas* may be converted to a designation that permits non-employment uses provided the conversion would:

- a) Satisfy the requirements of policy 2.2.5.9 a), d) and e);
- b) Maintain a significant number of jobs on those lands through the establishment of development criteria; and
- c) Not include any part of an *employment area* identified as a *provincially significant employment zone*.”

While it is acknowledged that policy 2.2.5.10 permits employment land conversions outside of PSEZs to be considered in advance of the completion of the MCR, it is the City’s intention to consider employment land conversion comprehensively as part of the MCR. This report will consider all of the City’s employment areas, including those that are and are not identified as PSEZs, and will make recommendations to be implemented as part of the MCR.

This conversion analysis serves as one component of the MCR. The preliminary results of this analysis will be considered as part of the employment land supply information for the forthcoming Land Needs Assessment (LNA) exercise. The LNA is a supply and demand analysis which identifies how much of the City’s forecasted population and employment growth to the year 2041 can be accommodated in the City’s existing land supply.

Municipal Planning Framework

Urban Hamilton Official Plan (UHOP)

In addition to providing policy direction pertaining to the protection and enhancement of Employment Areas in the City, the UHOP also identifies Employment Area designations, permitted uses, and other provisions such as scale and design. The Employment Area Designation contains four land use designations that capture the range of employment lands in the city, which includes historical heavy industrial uses, port lands, and planned business parks. The Employment Area designations are Industrial Land, Business Park, Airport Employment Growth District, and Shipping and Navigation (see Figure 1).

The policies of the UHOP recognize and permit a broad range of uses within the Employment Area designations, including traditional manufacturing uses, research and development uses, warehousing, and logistics. Office uses are permitted, though limited in size and function in keeping with the intent of the Plan to encourage larger scale office

uses to locate in the Downtown Urban Growth Centre. Ancillary uses which primarily support businesses and employees within the Employment Area (eg. restaurants, hotels, banks, personal services) may also be permitted, subject to certain restrictions. Ancillary uses are to be located along the periphery of the Employment Area so as not to encourage the intrusion of non-employment uses into the employment lands. Further, the policies require that the types of permitted ancillary uses will be determined by the Zoning By-law. The intent of the restrictions is to ensure that such ancillary uses remain small scale and true to the primary function of supporting the businesses and employees.

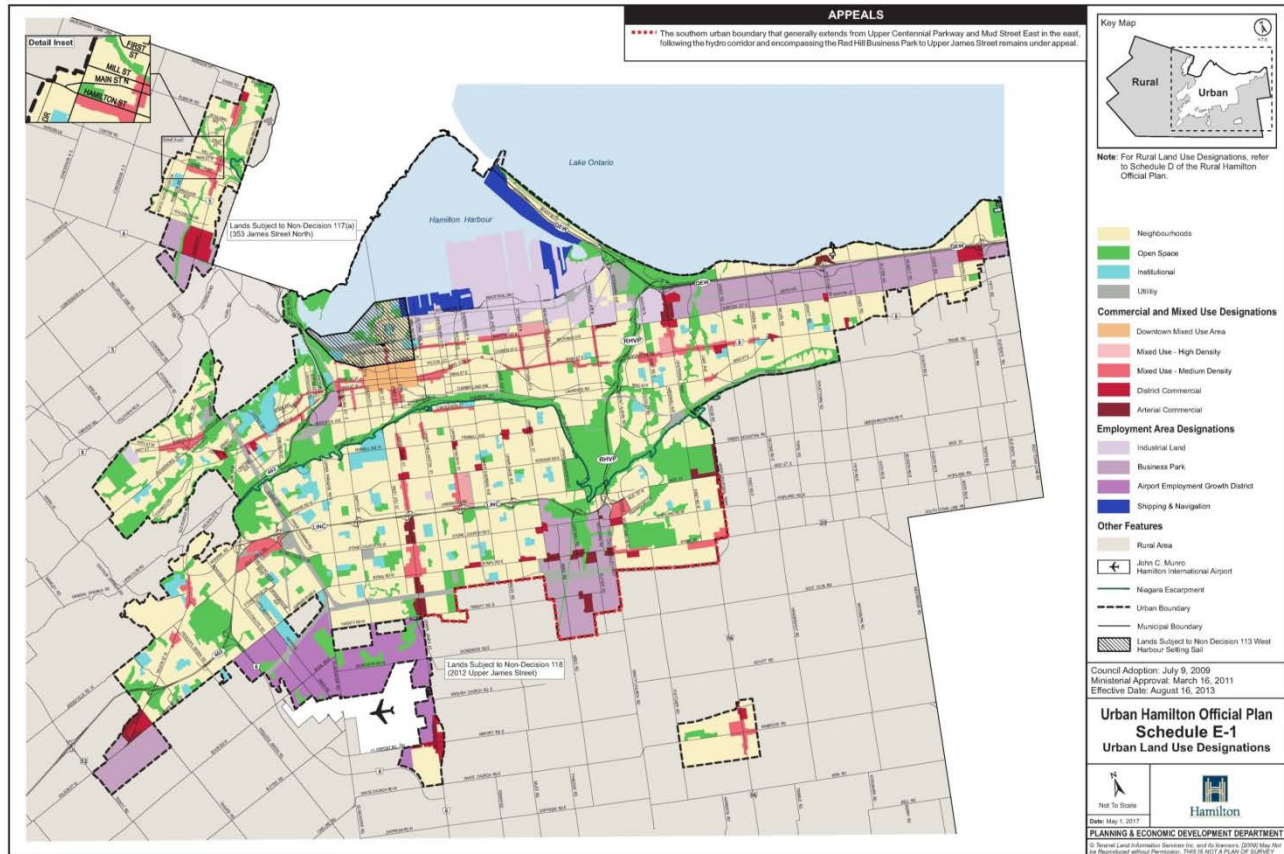


Figure 1 – Urban Hamilton Official Plan Schedule E-1

In this conversion analysis, the primary focus of the review is lands designated either Industrial Land or Business Park. Lands that fall within these designations are evaluated against the permitted use policies of the UHOP. Policies E.5.2.4, E.5.2.5, E.5.3.2, and E.5.4.3 of Volume 1 of the UHOP identify permitted uses in the Industrial Land and Business Park designations. Policy E.5.2.6 of the UHOP prohibits *major retail* uses, residential uses, and other sensitive uses within lands designated Employment Area on Schedule E-1 of Volume 1 of the UHOP. The permitted uses in these designations are identified in Table 1.

Table 1 – Permitted Uses in Industrial Land and Business Park Designations

Use	Industrial Land Designation	Business Park Designation
Manufacturing	✓	✓
Warehousing	✓	✓
Repair service	✓	✓
Building or contracting supply establishments	✓	✓
Building and lumber supply establishments	✓	✓
Transport terminals	✓	
Transportation terminals		✓
Research and development	✓	✓
Communication establishment	✓	✓
Private power generation	✓	✓
Dry cleaning plants	✓	-
Salvage/storage yards	✓	Prohibited
Motor vehicle repair and wrecking	✓	-
Waste processing facilities and waste transfer facilities	✓	✓
Office	Yes with limitations	Yes with limitations
Retail	Limited to 500 square meters of gross floor area for any individual business	Limited to 500 square meters of gross floor area for any individual business
Ancillary uses (hotels, fitness centers, financial establishments, restaurants, personal services, motor vehicle service stations, retail establishments, labour association halls, conference and convention centres, trade schools, commercial parking facilities, commercial motor vehicle and equipment sales, and commercial rental establishments)	If uses primarily support industry, businesses, and employees within Employment Area	If use primarily supports industry. If uses primarily support business and employees within business parks; must front arterial roads or collector roads

Accessory uses	Limited retail and office	Limited retail and office
Agriculture	Limited (only a cannabis growing and harvesting facility, a greenhouse, and an aquaponics facility)	Limited (only a cannabis growing and harvesting facility, a greenhouse, and an aquaponics facility)

Chapter F of the UHOP provides additional direction on the protection of employment areas, and in particular, policy F.1.1.11 indicates that the City may prepare additional criteria (beyond that of the Growth Plan) to evaluate potential employment conversion sites. This criteria is discussed in section 1.2 below.

Zoning By-law 05-200

Zoning By-law 05-200 is the Zoning By-law for the City of Hamilton. The Industrial Zones were approved and added to the By-law in 2011. While the UHOP provides high level policy direction regarding the different types of Employment Areas in the City (eg. Industrial Land, Business Park), the Zoning By-law implements this direction with permitted uses and regulations specific to each Zone. The Zones are structured to apply to specific geographic areas or to address specific functions. For example, there are different zones applied at the interior of an industrial area or business park as opposed to the exterior of these areas. The zones to be applied at the exterior permit different uses to ensure compatibility with adjacent lands and contain more stringent design criteria. There is also a zone which is applied in areas where ancillary uses are to be permitted. There are six primary industrial zones that are relevant to the discussions of this report, summarized below. In addition to the zones noted below, there are special zones that are applicable to certain geographic areas (i.e. airport related zones and shipping and navigation (port) zones) or specific activities (extractive industrial zone). There are no recommended conversion sites within lands applicable to the other industrial zones. The zones applicable to the conversion analysis are the following:

Business Park Zones:

Research and Development (M1) Zone – applied to the West Hamilton Innovation District, and permits a range of research and development related uses.

General Business Park (M2) Zone – applied to the interior of Business Parks, and permits a wide range of manufacturing and employment uses with minimal urban design requirements.

Prestige Business Park (M3) Zone – applied to the exterior of Business Parks and the entirety of the Red Hill North and South Parks. Permits a range of light industrial, office,

and research and development uses, with enhanced urban design and setbacks to sensitive land uses.

Business Park Support (M4) Zone – designed to support employees and businesses within the Park, and generally applied at the exterior of the Park. Permits the same range of uses as the M3 Zone, but also limited commercial support uses.

Industrial Area Zones:

General Industrial (M5) Zone – applied in the interior of the Bayfront Industrial Area only. This zone is the most permissive industrial zone and permits the widest range of manufacturing and employment related uses, as well as some uses which may take advantage of existing buildings or locate on existing smaller lots.

Light Industrial (M6) Zone – applied in the exterior of the Bayfront and all other industrial areas. Permits range of light industrial and ancillary uses.

1.2 METHODOLOGY AND CONVERSION CRITERIA

This conversion analysis builds on the previous conversion analysis, which was completed by the City of Hamilton in 2008. The methodology of this study utilizes a similar approach to the 2008 analysis, and incorporates information from the previous conversion analysis, while also assessing the current-day context of employment land in the City. This review addresses lands along the margins of existing Employment Areas within the City of Hamilton where land uses may have morphed over time and the existing Employment Area designation may no longer be appropriate. Areas that have experienced change since the completion of the previous study, in the form of new development, vacant lands or planning applications, will be reviewed through this analysis, as well as areas where staff have identified a need for potential boundary refinement due to existing uses.

The primary focus of this report is the Bayfront Industrial Area due to its longer history, complexity of existing land uses, and therefore greater need for potential boundary refinement, particularly along the edges of the area. Consideration is also given to potential conversion sites in the East Hamilton Industrial Area, Red Hill North and South Business Parks, and the Flamborough Business Park due to existing uses or the need for boundary refinement. For the remaining employment areas in the City, no potential conversion sites were identified, and these areas are therefore not addressed in this Report.

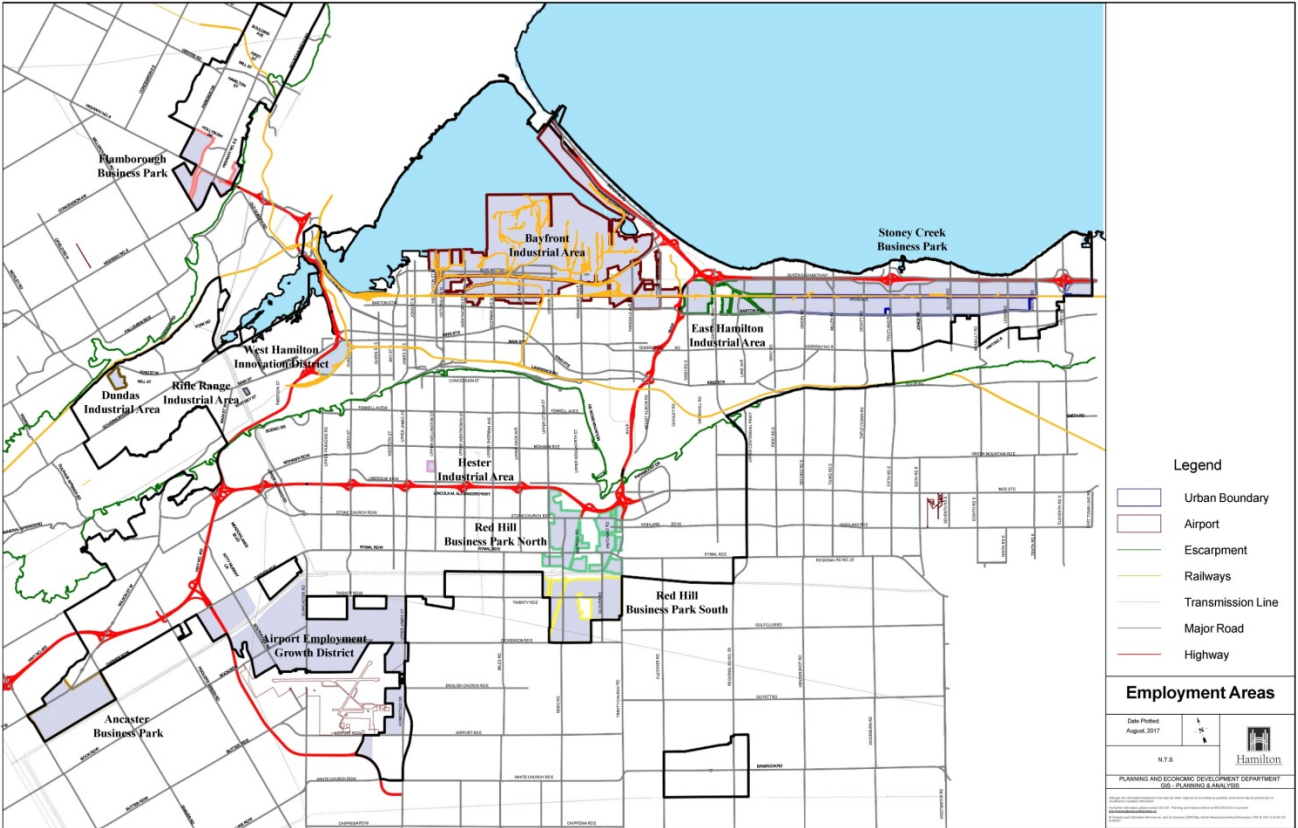


Figure 2 – City of Hamilton Employment Areas

Conversion Criteria

Sites were evaluated against the criteria for conversion of the Growth Plan Policy 2.2.5.9:

“The conversion of lands within *employment areas* to non-employment uses may be permitted only through a *municipal comprehensive review* where it is demonstrated that:

- a) there is a need for the conversion;
- b) the lands are not required over the horizon of this Plan for the employment purposes for which they are designated;
- c) the municipality will maintain sufficient employment lands to accommodate forecasted employment growth to the horizon of this Plan;
- d) the proposed uses would not adversely affect the overall viability of the employment area or the achievement of the minimum intensification and density targets in this Plan, as well as the other policies of this Plan; and

- e) there are existing or planned *infrastructure* and *public service facilities* to accommodate the proposed uses.”

Criteria (a) of Policy 2.2.5.9 addresses the question of ‘need’ for the conversion. The question of ‘need’ could be considered in different ways. For the purposes of this review, staff consider the test of need as being whether or not there are compelling, site / area specific reasons to convert the lands to a non-employment designation. This could include considerations of existing and surrounding land uses, suitability (size, location) of a property to accommodate employment uses, or potential benefit arising from a proposed non-employment use. The question of ‘need’ is not directly related to the City’s overall employment land supply, rather it is a local, site specific consideration of each conversion candidate.

Criteria (b) and (c) of Policy 2.2.5.9 relate to the City’s overall employment land need and that the conversion lands are not required for employment purposes to the planning horizon, and that the City will maintain sufficient employment lands. When considering the City’s overall employment land needs, it must be remembered that determining employment land need must take into account the adequacy of land supply to accommodate projected growth. It is not only about the amount of land available (supply), but also about the location, size, and readiness for development of the available lands. For this analysis, the sites and areas under consideration are small in size, in a location containing an existing mix of non-employment land uses, and the majority are already developed with other uses. It is not anticipated that the conversion of such lands will have a significant impact on the City’s overall employment land need. Undeveloped lots of vacant, greenfield employment lands were not considered for conversion as they did not meet the conversion criteria. While the results of the City’s LNA are not available at the time of writing of this report, it is assumed, based on the parcel size, that none of the sites under consideration would offend criteria (b) and (c) of Policy 2.2.5.9. This will be revisited and reconfirmed following completion of the LNA.

Building on the Criteria for Evaluation identified by Policy 2.2.5.9 of the *Growth Plan*, this analysis uses an additional set of criteria to guide identification of potential conversion candidates. The additional criteria are similar to the criteria used in the conversion analysis completed in 2008. The additional City criteria are as follows:

Part A

1. Site(s) are mixed use blocks and located along the edges of industrial areas;

Part B (only applied to sites / areas that meet Criteria 1)

2. Conversion of the site(s) will not adversely affect the long-term viability and function of the employment areas;

3. Conversion of the site(s) will not negatively affect the long-term viability of existing employment uses, including large, stand-alone facilities;
4. Conversion of the site(s) will not compromise any other planning policy objectives of the City, including planned commercial functions;
5. Conversion of the site(s) will not create incompatible land uses, including a consideration of the Ministry of Environment and Climate Change Land Use Compatibility (D-series) guidelines;
6. Conversion of the site(s) will be beneficial to the community through its contribution to the overall intent and goals of the City's policies and demands on servicing and infrastructure;
7. Conversion of the site(s) will result in a more logical land use boundary.

This criteria was modified from the criteria utilized in the City's 2008 Employment Land Conversion Analysis. The previous analysis included additional criteria to address smaller industrial area (less than 10ha) and scattered industrial sites. There has been no change to these smaller areas since 2008, and therefore these areas are not being reviewed further in this analysis, and the additional criteria was removed. The remainder of the criteria from 2008 remains valid and applicable to the review of employment lands and has been utilized for this analysis.

Any sites / areas that meet criteria 1 pass the initial screening. The remainder of the criteria are applied to the site / area to determine if the conversion is appropriate. If a site / area does not pass criteria 1, it is not evaluated any further.

Each site / area is reviewed under both the Growth Plan Policy 2.2.5.9 criteria and the City's criteria noted above.

GIS land use information and aerial photos were used to identify conversion candidates. Site visits were made to all sites that passed criteria 1 or where in-person analysis was required. Information from the 2008 conversion analysis was also taken into consideration in this analysis.

1.3 REPORT ORGANIZATION

The report is organized by Employment Area. A general description of each Employment Area is provided, followed by a planning analysis which identifies any sites under consideration for conversion and how these sites performed against the criteria.

Recommendations for either no change in designation or conversion to another designation are provided.

Appendix A to this Report presents a separate review of the several residential enclaves which are scattered throughout the Bayfront and Stoney Creek Business Park. Recommendations regarding the future land use considerations of each enclave will be made in the appendix.

Appendix B provides a summary of the requests for employment land conversion which were received in response to the public call for conversion requests initiated in 2017. In total, 19 conversion requests were received through the public process. The staff analysis and response to each request is included in Appendix B.

2. BAYFRONT INDUSTRIAL AREA

The Bayfront Industrial Area (the Bayfront) is located at the north end of the lower city and is roughly bounded by Wellington Street North, Barton Street East, Woodward Avenue, and Hamilton Harbour to the north. It is the largest Employment Area in Hamilton, at over 1512 hectares (ha). The Bayfront Industrial Area has been identified by the Province as a Provincially Significant Employment Zone.

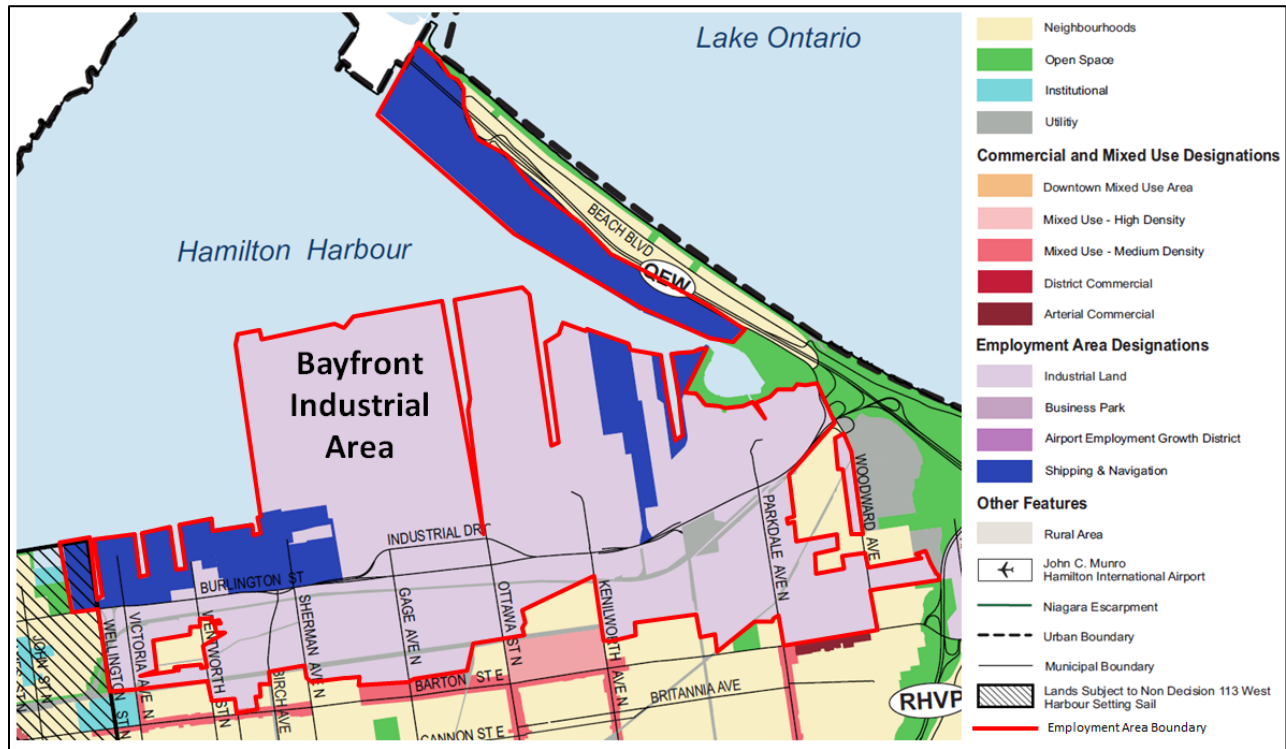


Figure 3 – Land Use Designations in Bayfront Industrial Area

The predominant land use in the Bayfront is industrial, which accounts for 77 per cent of the land in the area (1159 ha). Approximately 11 per cent (163 ha) of land in the area is attributed to transportation (includes port uses) and utilities. Vacant land accounts for 9 per cent of the area (137 ha). Remnant residential enclaves and residential parcels scattered throughout the area make up a small amount (1 per cent) of the total area in the Bayfront. Residential enclaves include Alpha East, Beatty, Biggar, Land, Leeds, Rowanwood, and Stapleton. Previous planning analyses conducted throughout the 1970's, 1980's, and 1990's identified that the long term intent for these residential enclaves was to retain the industrial land use designation and on the premise that they would evolve over time into industrial land uses. A separate consideration of these enclaves is addressed in Appendix A.

There is one Urban Hamilton Official Plan, Volume 3, area specific policy in this area. UH-1 applies to lands in the Bayfront Industrial Area that were identified for conversion through the previous analysis. The area specific policy directs that the zoning of the parcels should allow for the existing industrial or commercial use to continue. At such time as the industrial uses cease, and a new use is proposed, a number of criteria must be met including a restriction on major retail uses, demonstration that no negative impact on surrounding properties will be created, submission and approval of a Record of Site Condition, and compliance with provincial D-Series Guidelines.

Table 2 - Land Uses in Bayfront Industrial Area

Land Use	Total Hectares (ha)	Percentage of Total Area (%)
Commercial	22.66	1.50
Industrial	1159.19	76.67
Institutional	4.55	0.30
Office	1.89	0.13
Open Space	4.78	0.32
Residential	19	1.23
Transportation/Utility	162.74	10.76
Vacant Land	137.19	9.07
Total	1512	100

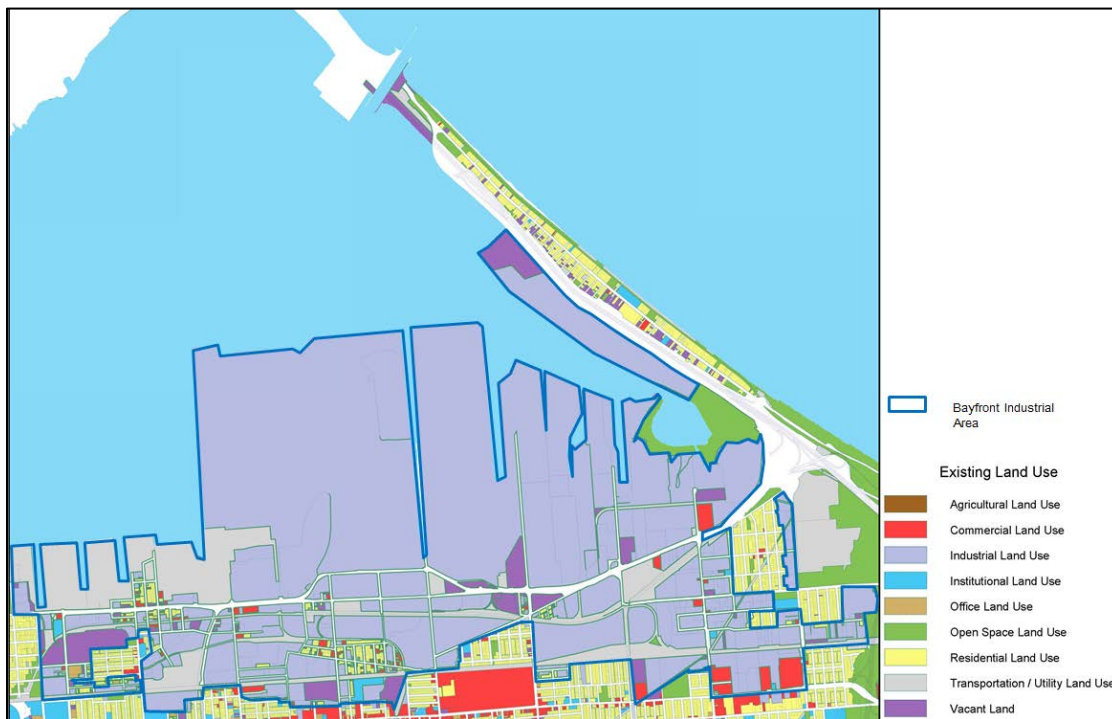


Figure 4 – Land Uses in Bayfront Industrial Area

The review of the Bayfront Industrial Area is broken down by sub-area in the analysis that follows.

2.1 AREA BOUNDED BY WELLINGTON STREET NORTH, WENTWORTH STREET NORTH, BURLINGTON STREET EAST AND RAIL LINE TO SOUTH

The Keith and Monroe residential neighbourhoods are located in the core of this area. The majority of the residential dwellings are designated Neighbourhoods and zoned Residential, although a small number of dwellings to the south of the area remain Industrial Land. A portion of the Land Residential Enclave is located in this area (southwest corner of Burlington and Wentworth) and is reviewed in Appendix "A" (Residential Enclaves Review).

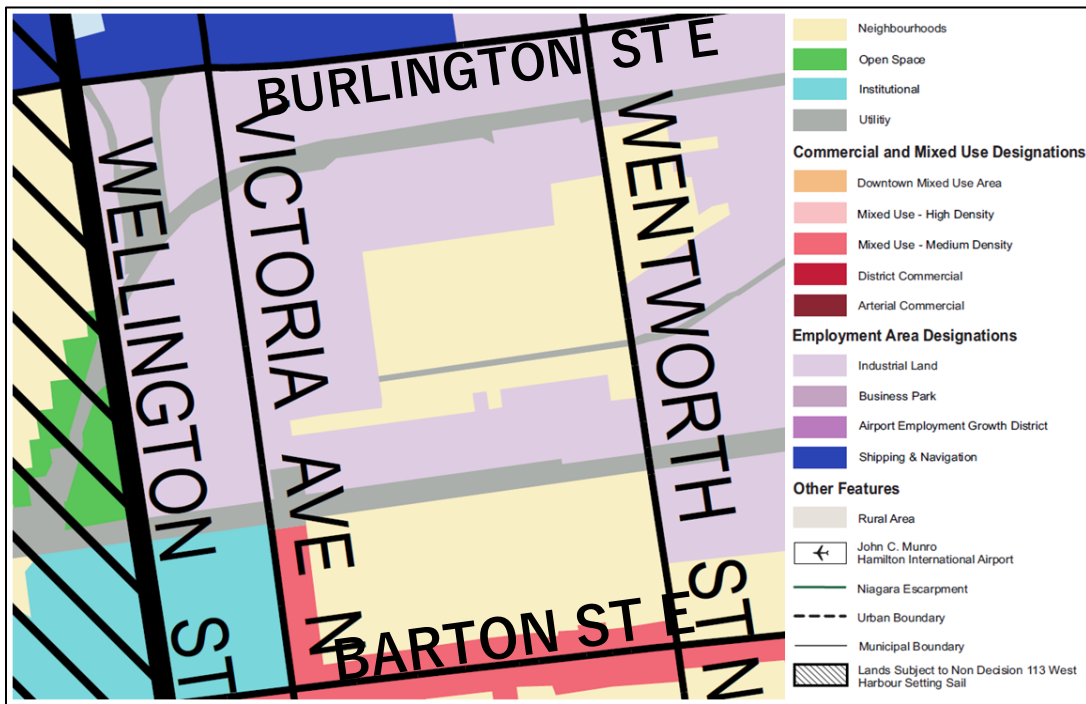


Figure 7 - Land Use Designations in area bounded By Wellington Street North, Wentworth Street North, Burlington Street East, and the utility/rail line to the south

Land uses in this area include industrial, office, transportation (rail lines), small blocks of residential parcels, and scattered commercial, residential, and open space uses. There are two large vacant sites and several smaller vacant sites.

Sites under review for potential conversion are identified in the table below and on the map. These sites were identified based on their location and existing land use.

**Table 3 – Potential Conversion Sites in area bounded by Wellington St N,
 Wentworth St N,
 Burlington St E and utility/rail line**

Address	Land Use	Zoning	Area (Ha)
240 Burlington St E	Industrial/community centre/community garden	M6 – Light Industrial	0.5
472 Wellington St N	Vacant	M6 – Light Industrial	0.8
450 Wellington St N	Mixed use – Ubrew, residential	M6 – Light Industrial	0.1
451 Victoria Ave N	Vacant	M6 – Light Industrial	3.2
390 Victoria Ave N	Vacant/parking	M6 – Light Industrial - SE/375	0.2
15 – 35 Shaw St	Single (7) and semi-detached (2) dwellings	M6 – Light Industrial - SE/375	0.2
65 Shaw St	Vacant/parking	M6 – Light Industrial - SE/375	0.2
360 – 368 Emerald St	Single (1) and semi-detached (2) dwellings	M6 – Light Industrial - SE/375	0.05
71 – 99 Shaw St	Single (6), semi-detached (3) and triplex (1) dwelling	M6 – Light Industrial - SE/375	0.25
103 Shaw St	Vacant	M6 – Light Industrial - SE/375	0.04
6 – 10 Douglas Ave	Triplex (1) dwelling	M6 – Light Industrial - SE/375	0.03
16 Douglas Ave	Park/community garden	M6 – Light Industrial - SE/375	0.07
107 – 117 Shaw St	Triplex (2) dwellings	M6 – Light Industrial - SE/375	0.07
121 Shaw St	Office	M6 – Light Industrial - SE/375	0.2
83 – 105 Cheever St	Single (1), triplex (2), townhouse (1) dwellings	M6 – Light Industrial - SE/375	0.1

92 – 104 Cheever St	Single (1) and triplex (2) dwellings	M6 – Light Industrial - SE/375	0.1
110 – 166 Burton St	Single (14) and semi-detached (5) dwellings	M6 – Light Industrial - SE/375	0.4



Figure 8 - Land Use in area bounded By Wellington St N, Wentworth St N, Burlington St and rail line

240 Burlington St E, 472 Wellington St N, and 450 Wellington St N

Do these parcels meet Criteria 1: Yes. 240 Burlington St E, 472 Wellington St N, and 450 Wellington St N are mixed use and vacant sites along the margin of the Bayfront, and are adjacent to residential uses.

Evaluation: These sites would not be a sizable loss to the industrial area should they be converted to non-employment uses since their collective area is 1.4 ha. The rear of these parcels abuts a railway junction. Conversion to a sensitive land use may create land use

compatibility issues due to the adjacent railroad, which would not meet Criteria 5. At present, the boundary of the Bayfront Industrial Area logically follows Wellington St N, and therefore conversion of these sites would not meet Criteria 7.

Recommendation: Retain Employment Area designation. No conversions are recommended.

451 Victoria Ave N

Does this parcel meet Criteria 1: No. 451 Victoria Ave N is a vacant 3.2 ha parcel located internal to the industrial area, south of the rail line.

Recommendation: Retain Employment Area designation. No conversion recommended.

Lands south of Burton Street and north of rail line (366 and 390 Victoria Ave N, 15 – 175 Shaw St, 20 Shaw St – 64 Shaw St, 351 – 356 Emerald St, 118 - 170 Shaw St, 360 – 368 Emerald St, 6 – 16 Douglas Ave, 83 – 105 Cheever St, and 110 – 166 Burton St, 335 Wentworth St N)

Do these parcels meet Criteria 1: Yes. These parcels directly abut the lands designated Neighbourhoods to the north. The area is mixed use with a range of residential, commercial and industrial uses.

Evaluation: The existing boundary of this area is irregular, particularly along the south side of Burton St which abuts the Keith neighbourhood. There are two small parkettes at the intersection of Burton and Douglas. The park at 90 Burton St is designated Neighbourhoods while the open space at 16 Douglas Ave (which contains a community garden) is in the employment area. A newer townhouse development at 104 – 108 Burton St has been designated Neighbourhoods, while the remainder of the homes on the same block are designated Industrial. It is recommended that the parcels on the south side of Burton St which are currently designated Industrial Land (110 – 166 Burton St and 16 Douglas Ave) be converted to the Neighbourhoods designation to clean up this boundary and recognize the existing uses in the area, which are primarily residential.

For the remainder of the parcels in this area, Shaw St becomes a natural boundary, with the parcels to the north of Shaw St being recommended for conversion. The exception would be one property (175 Shaw St) to the north of Shaw St, at Wentworth St N, which contains an active industrial use and should remain in the employment designation. Included amongst the parcels being recommended for conversion are three vacant lots which are currently being utilized for parking. Two of these lots were included in a public request for conversion which is discussed in more detail in Appendix B. There is also one office building located at 121 Shaw St which is currently occupied by an engineering

firm. The remainder of the lots being recommended for conversion contain residential uses.

There is a need for the conversion of the subject parcels to recognize the long-standing non-employment uses in the area which have not changed over time and are not transitioning to employment uses. There is also a demonstrated need to address the existing illogical boundary between the Neighbourhoods and the Employment Area designations in this area. The conversion of the parcels in this area would not adversely affect the existing employment area or existing uses or create incompatibilities as the conversion is recognizing existing uses, and therefore satisfies City criteria 2, 3, 4 and 5 and Growth Plan criteria (d) and (e). Conversion could result in an overall community benefit by facilitating redevelopment of the vacant parcels for a wider range of uses, satisfying criteria 6. Criteria 7 is satisfied through the clean-up of the boundary between designations.

It is recommended that lands to the south of Shaw Street should remain industrial, as this area incorporates large active industrial operations abutting the rail line (Karma Candy at 356 Emerald St N / 118 Shaw St and 170 Shaw St). The Karma Candy lands, as well as an additional parcel south of Shaw St (60 Shaw St), were included in a public request for conversion which is analysed in more detail in Appendix B.

Recommendation: Within this area, lands to the north of Shaw St (with the exception of 175 Shaw St) are recommended for conversion. The identified lands should be redesignated to the Neighbourhoods designation, with a site specific policy to recognize the existing office building at 121 Shaw St (which exceeds the square footage permitted in the parent designation). An additional site specific policy area is recommended for the vacant parcel at 390 Victoria Ave N, which is adjacent to active industrial uses, to prohibit the use of these lands for sensitive uses. A local commercial or community use would be appropriate on these lands.

2.2 AREA BOUNDED BY WENTWORTH ST N, BURLINGTON ST, SHERMAN AVE N, AND BARTON ST

This area is largely designated Industrial Land, with the Neighbourhoods designation on the southern margin of the Industrial Area and the Mixed Use – Medium Density designation along Barton St E. The land uses within the Industrial Area designation are largely industrial and utility land uses and as such, the designation is appropriate. While there are pockets of residential and vacant lands to the north, these lands are internal to the park and therefore do not warrant further review (the Land residential enclave at the

northern edge of this area will be considered in Appendix A). However, one mixed use block on the periphery of the Industrial Area warrants further review.

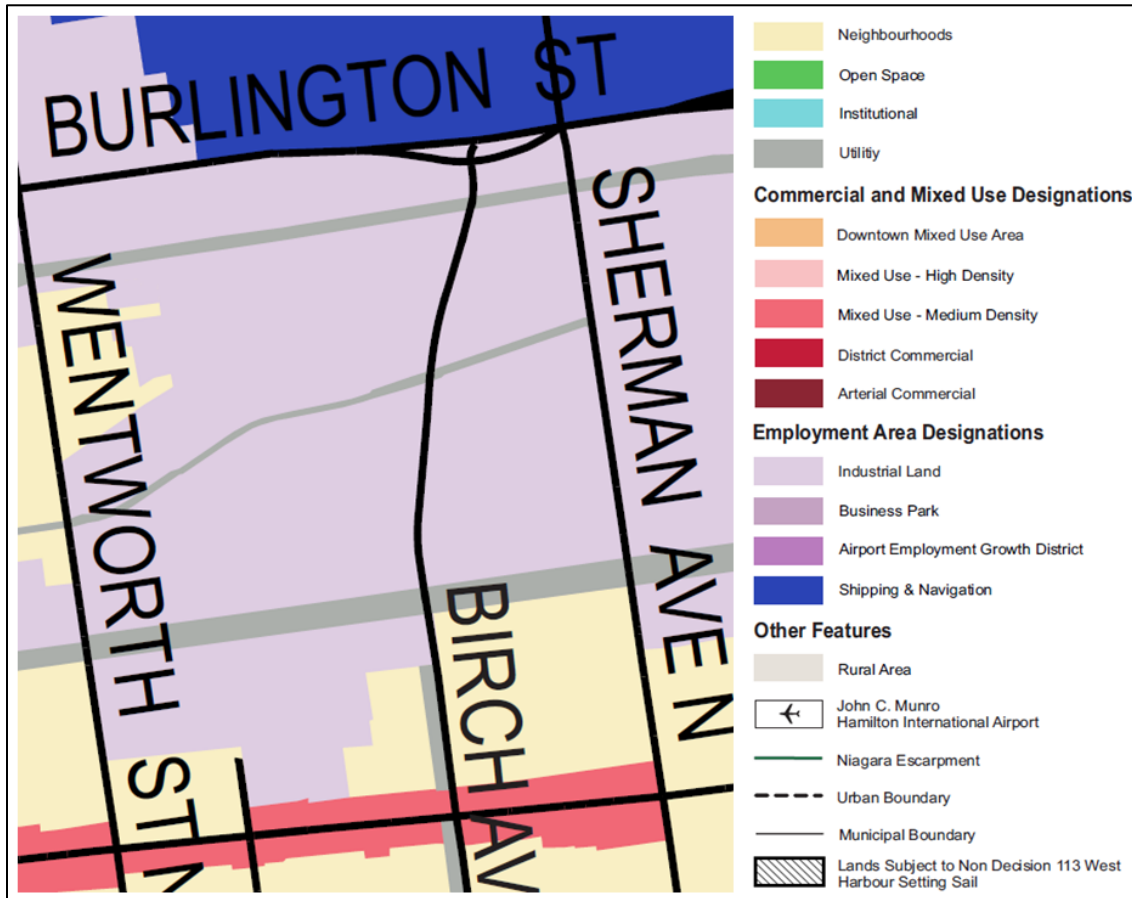


Figure 9 - Land Use Designations in area bounded by Wentworth Street North, Burlington Street East, Sherman Avenue North, and Barton Street East

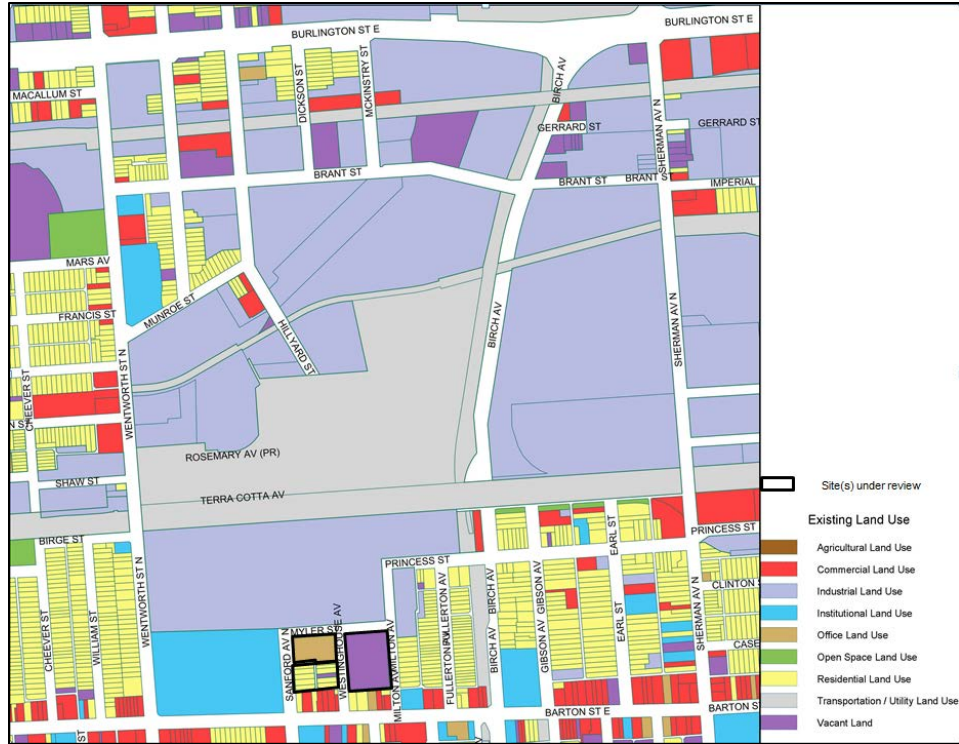


Figure 10 - Land uses in Area bounded by Wentworth St N, Burlington St, Sherman Ave N, and Barton St E

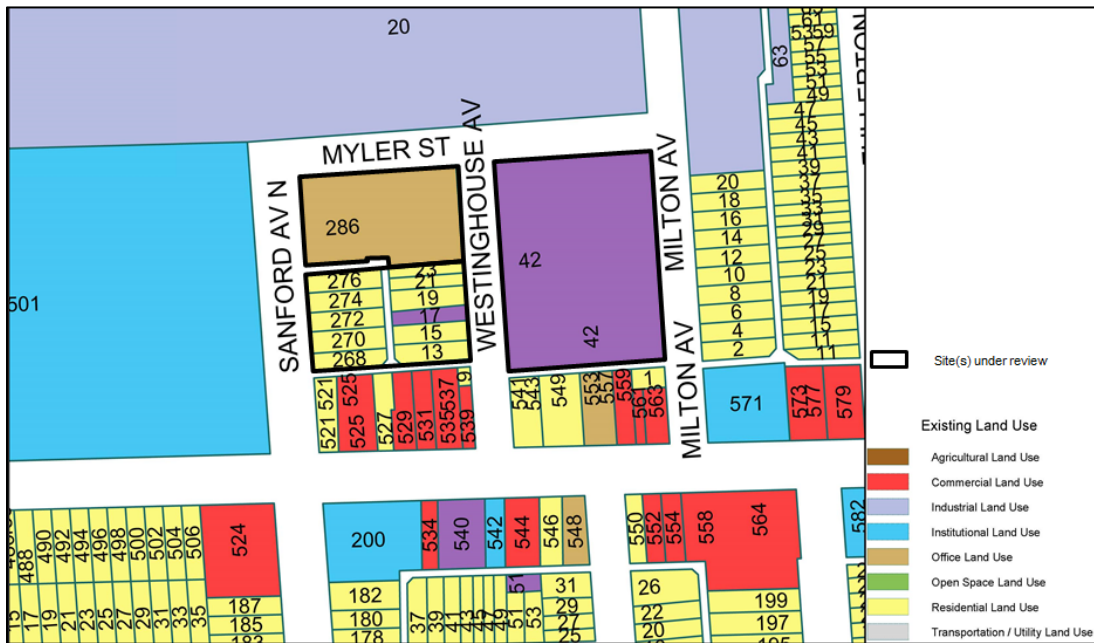


Figure 11 – Conversion Candidates at Former Westinghouse lands

The sites for possible conversion include:

Table 4 – Conversion Candidates in Area bounded by Wentworth Street North, Burlington Street East, Sherman Avenue North, and Barton Street East

Address	Land Use	Zoning	Area (Ha)
286 Sanford Ave N	Vacant office building (former Westinghouse)	M6 – Light Industrial	0.2 Ha
42 Westinghouse Ave	Vacant/parking (former Westinghouse)	M6 – Light Industrial	0.5 Ha
268, 270, 272, 274, 276 Sanford Ave N and 13, 15, 17, 19, 21, 23 Westinghouse Ave	Residential, vacant	M6 – Light Industrial	0.3 Ha

Do these parcels meet Criteria 1: Yes. These parcels are at the periphery of the industrial area and the block is mixed-use.

Evaluation: 286 Sanford Ave N is the site of the former Siemens Westinghouse operation office building, which has now been partially renovated for office use. 42 Westinghouse Avenue is a parking lot that appears to be underutilized based on site visits. The remainder of the parcels in this area (268 – 276 Sanford Avenue North and 13 -23 Westinghouse Avenue) are residential, except for one vacant parcel. The previous conversion analysis determined that conversion of these sites for residential purposes was not appropriate. This decision was in part based on an Ontario Municipal Board (OMB) decision in the 1990’s that denied a request to convert the site with the former office building (286 Sanford Ave N) to residential. The OMB decision identified noise from adjacent industry at 20 Myler Street that precluded the opportunity for redevelopment of 286 Sanford Avenue as a sensitive land use.

Since the last conversion analysis was completed, a new use of 286 Sanford Ave N has been realized. The building has been partially renovated for use as an office building, which is permitted under the current zoning because of the legal non-conforming status from the former use of the building as the Westinghouse head office. A need for the conversion of the lands at 286 Sanford to the Neighbourhoods designation has been demonstrated to recognize the office use. Conversion of the lands at 268 – 276 Sanford Ave N and 13 – 23 Westinghouse Ave to Neighbourhoods would recognize the existing residential uses. Inclusion of the vacant parcel at 42 Westinghouse in the conversion to Neighbourhoods would result in a more logical boundary, satisfying City criteria 7. It is suggested that the lands at 286 Sanford and 42 Westinghouse be placed in site specific policy area which would prohibit the development of residential or other sensitive land uses until such time as a Noise Impact Study is submitted and approved. The Noise Impact Study must demonstrate no negative impact on the existing adjacent industrial

use from the introduction of a sensitive land use, which may result in the need to design any future sensitive uses to shield sensitive living areas from exposure to the industry to the north. The site specific policy would also permit the entirety of the existing building at 286 Sanford to be utilized for office purposes (in excess of the parent permissions of the Neighbourhoods designation for local commercial uses), satisfying City criteria 2, 3 and 5 and Growth Plan criteria (d). Conversion of the sites would satisfy City criteria 6 by recognizing the adaptive reuse of the heritage building at 286 Sanford, and allowing for an array of uses permitted under the Neighbourhoods designation, including local commercial uses, which can provide benefit to the local community. Finally, due to the small size of the converted parcels, conversion would not compromise other planning objectives, including planned commercial functions, as per City criteria 4. As is noted above, the use of the property at 286 Sanford for commercial office purposes is already a permitted use. Conversion will recognize existing permissions. It is not anticipated that the conversion would place undue demands on infrastructure or public service facilities, satisfying Growth Plan criteria (e).

Recommendation: The following conversions are recommended:

- 286 Sanford Ave and 42 Westinghouse to Neighbourhoods, with site specific policy area prohibiting residential or other sensitive uses until a Noise Impact Study is approved, and to permit an increased floor area for office uses.
- 268 – 276 Sanford Ave N and 13 – 23 Westinghouse Ave to Neighbourhoods

Note:

Through the public call for conversion requests, two requests for this area were received. These requests included the above noted lands, as well as an additional site at 30 Milton Ave. The applicants proposed a mix of uses for the area, including residential uses. As discussed in Appendix B, the applicants were asked for additional studies to justify the request for mixed uses on the site, including residential. The applicants did not provide the requested studies to justify any additional sensitive uses in this area.

2.3 AREA BOUNDED BY SHERMAN AVENUE NORTH, BURLINGTON STREET EAST, GAGE AVENUE NORTH, AND BARTON STREET EAST

The southern margin of the industrial area in this block abuts Neighbourhoods and Mixed Use – Medium Density designations. The majority of this area contains industrial land uses. Parcels along Barton Street East that fell within the industrial area were previously converted to Mixed Use – Medium Density. The previous conversion analysis also considered conversion of a small residential area in the Stiplely Neighbourhood. These

lands were not converted due to their adjacency to functioning industrial land uses. A number of residential enclaves exist in this area (Rowanwood, Alpha East, Biggar and Leeds), which are discussed in Appendix A. Since the previous conversion analysis, a large industrial site has become vacant, changing the context of the area and warranting a new analysis.

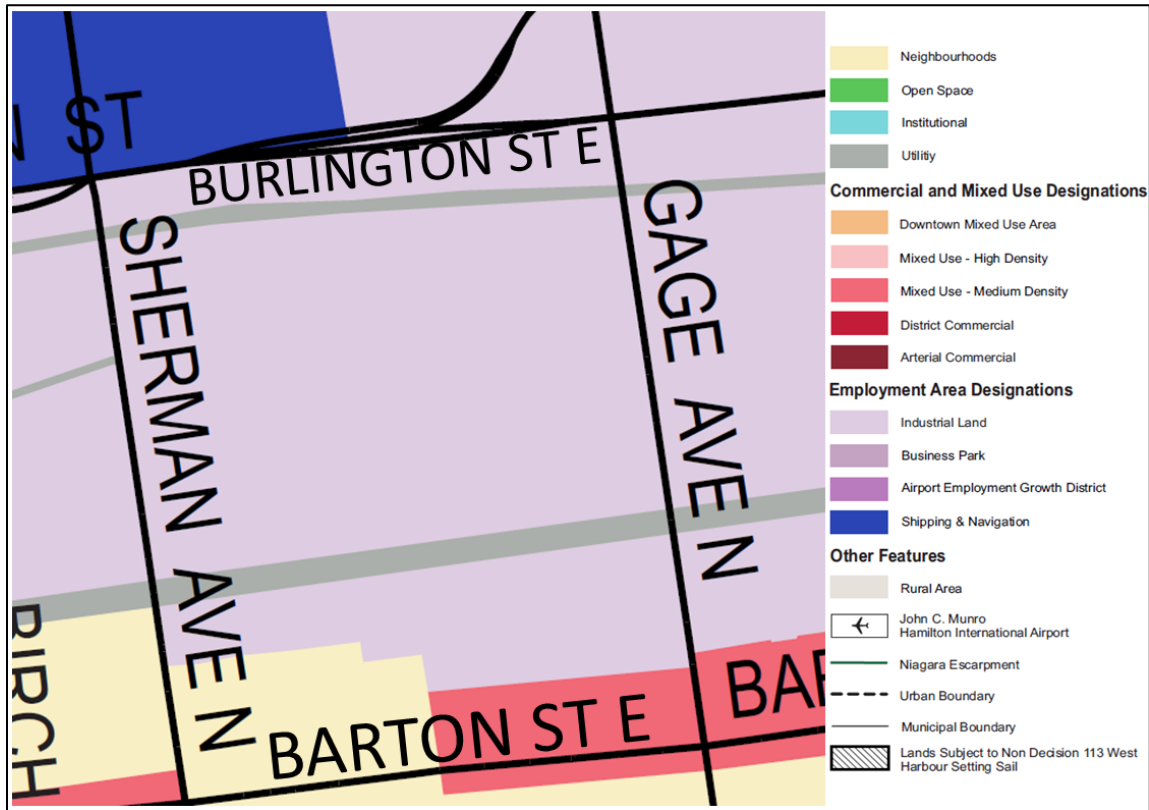


Figure 14 - Land use designations in area bounded by Sherman Avenue North, Burlington Street East, Gage Avenue North, & Barton Street East

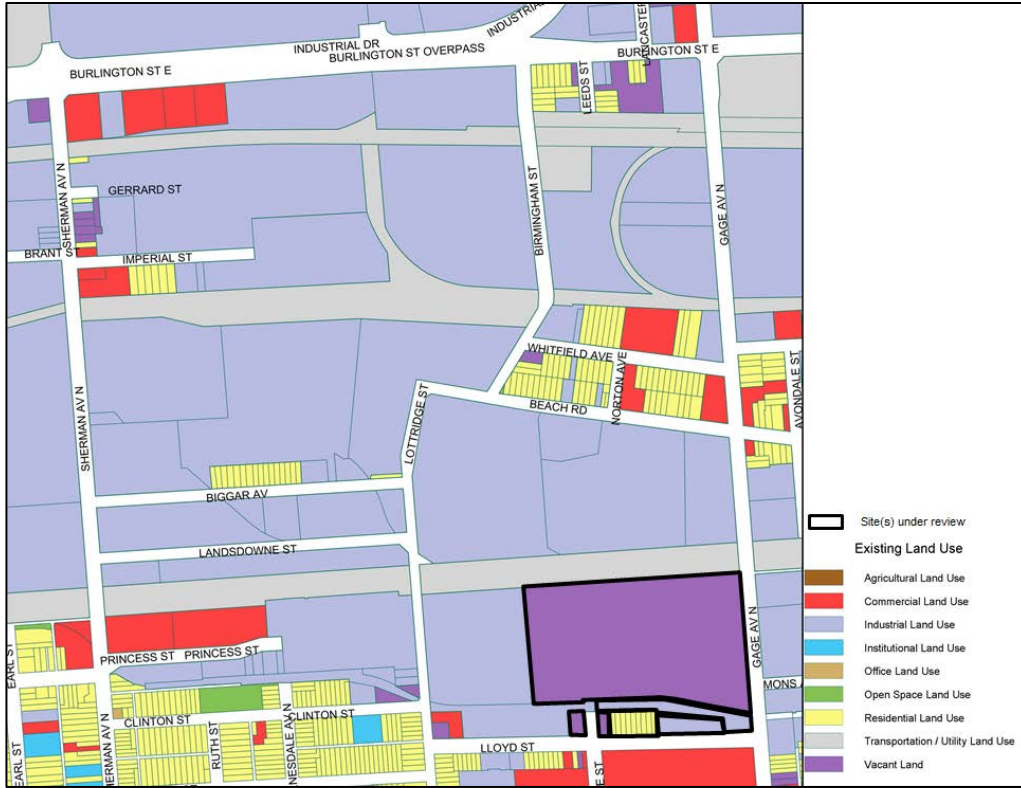


Figure 15 - Land uses in area bounded by Sherman Avenue North, Burlington Street East, Gage Avenue North, & Barton Street East

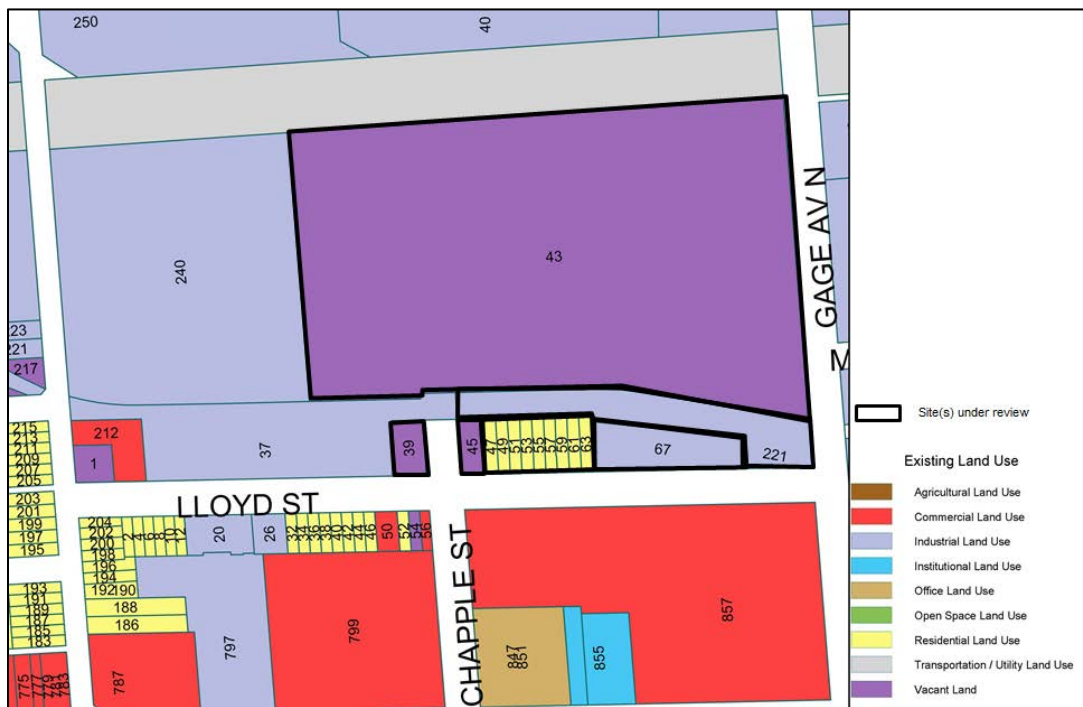


Figure 16 – Land uses in Lloyd Street Area and conversion candidate sites

The following sites are conversion candidates for further consideration:

Table 5 – Conversion Candidates for area bounded by Sherman Avenue North, Burlington Street East, Gage Avenue North, & Barton Street East

Address	Land Use	Zoning	Area (Ha)
43 Lloyd Street	Vacant industrial	M6 – Light Industrial - SE/438	4.6 Ha
221 Gage Ave N	Medium Industrial – automotive repair	M6 – Light Industrial	0.4 Ha
67 Lloyd St	Medium Industrial – appears vacant	M6 – Light Industrial - SE/438	0.2 Ha
45, 47, 49, 51, 53, 55, 57, 59, 61, and 63 Lloyd St	Residential and one vacant	M6 – Light Industrial	0.2 Ha

Do these parcels meet Criteria 1: Yes, these parcels are located along the edge of the industrial area.

Evaluation: Since the last conversion analysis, a need for the conversion of these parcels has been demonstrated. The property at 43 Lloyd Street (former Hamilton Builder’s Supply) and certain adjacent residential parcels have been purchased by the City of Hamilton for use as a future outdoor recreational space, including soccer and baseball fields and a soccer practice facility. The use is permitted as-of-right under the public use provisions of the Zoning By-law. The use is proposed to compensate for a lack of sports fields / training facilities in the vicinity resulting in part from the redevelopment of Tim Horton’s Field (which resulted in the loss of soccer and baseball fields from the site). Therefore, conversion of the site satisfies criteria 6 by providing an overall community benefit. The conversion does not offend criteria 7 as the site is located on an arterial road and is an extension of the Mixed Use Medium Density designation to the south. It is not anticipated that conversion of the site would negatively impact the overall viability of the employment area, as the recreational use is replacing a previous quasi industrial / commercial use which in itself was not contributing significantly to the overall viability of the area (satisfies criteria 2). Similarly, as the proposed use is recreational, conversion will not jeopardize other policy objectives, including planned commercial, thereby satisfying criteria 4.

The remaining two criteria address compatibility issues and impact on existing industry. There are existing industrial facilities directly to the west and north of the site. The proposed recreational use is considered a sensitive land use under the Ministry of Environment, Conservation and Parks (MOECP) D-6 Guideline if the municipality deems it to be sensitive. However, the MOECP Environmental Noise Guideline (NPC-300) does not consider a park to be a noise sensitive land use. Rather, only residential dwellings,

or noise sensitive commercial or institutional buildings meet this definition. Therefore, the establishment of the park in the vicinity of the existing industrial operations will not create additional compatibility issues for the businesses, satisfying criteria 3 and 5. Staff note that there are already existing residential (sensitive) uses within the area and within the vicinity of these active industrial operations.

Recommendation: Conversion to Neighbourhoods is recommended.

2.4 AREA BOUNDED BY GAGE AVENUE NORTH, BURLINGTON STREET EAST, OTTAWA STREET NORTH, & BARTON STREET EAST

The southern portion of the industrial area in this block abuts Mixed Use - Medium Density, Neighbourhoods, and Utility designations. In terms of land use, the area is mixed use with large industrial parcels in the northern portion, a residential enclave (Rowanwood) adjacent to the northern side of the rail line, and industrial, institutional, residential, and commercial land uses as well as vacant lands south of the rail line. Parcels located along Barton Street East and along the southern side of Linden Street were considered for conversion in the previous conversion analysis (Crown Point West 1 and 2) and were subsequently converted to Mixed Use – Medium Density. Several parcels along Linden Street warrant consideration for conversion due to the existence of a place of worship, residential properties, and a vacant parcel.

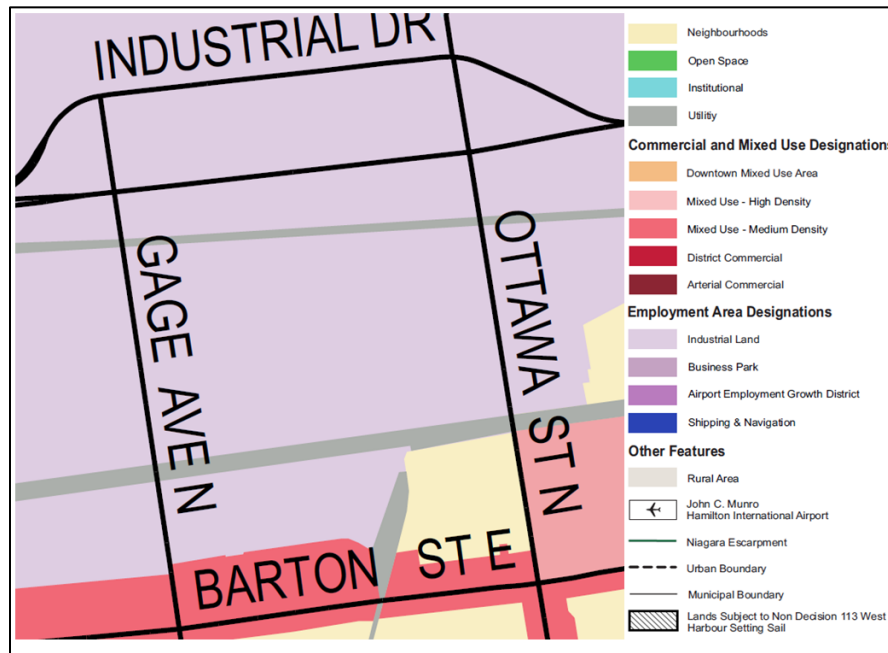


Figure 17 - Land use designations in area bounded by Gage Avenue North, Burlington Street East, Ottawa Street North, and Barton Street East

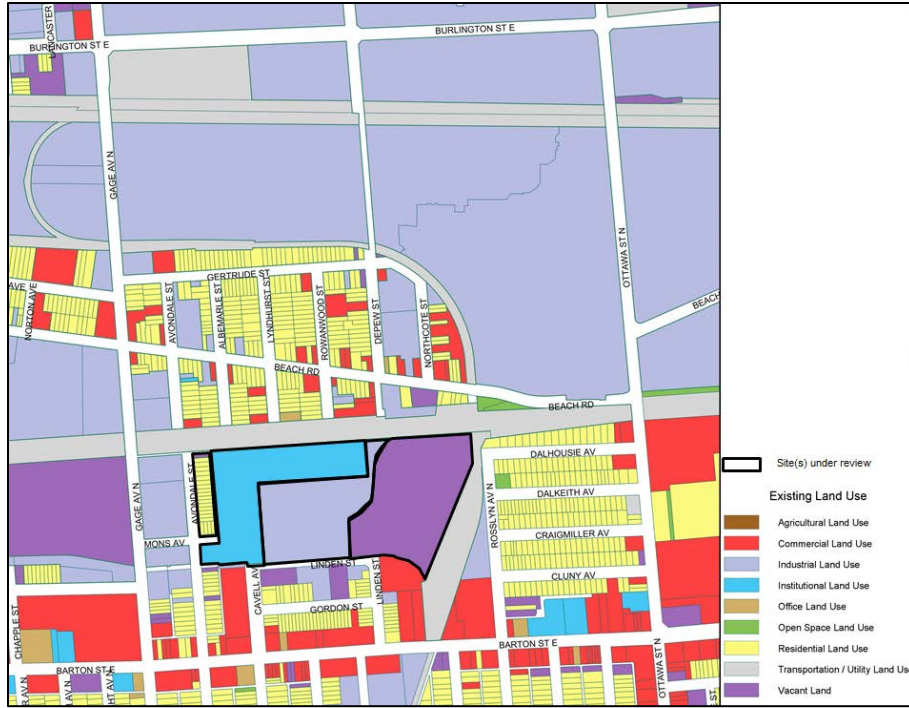


Figure 18 - Land uses in area bounded by Gage Avenue North, Burlington Street East, Ottawa Street North, and Barton Street East

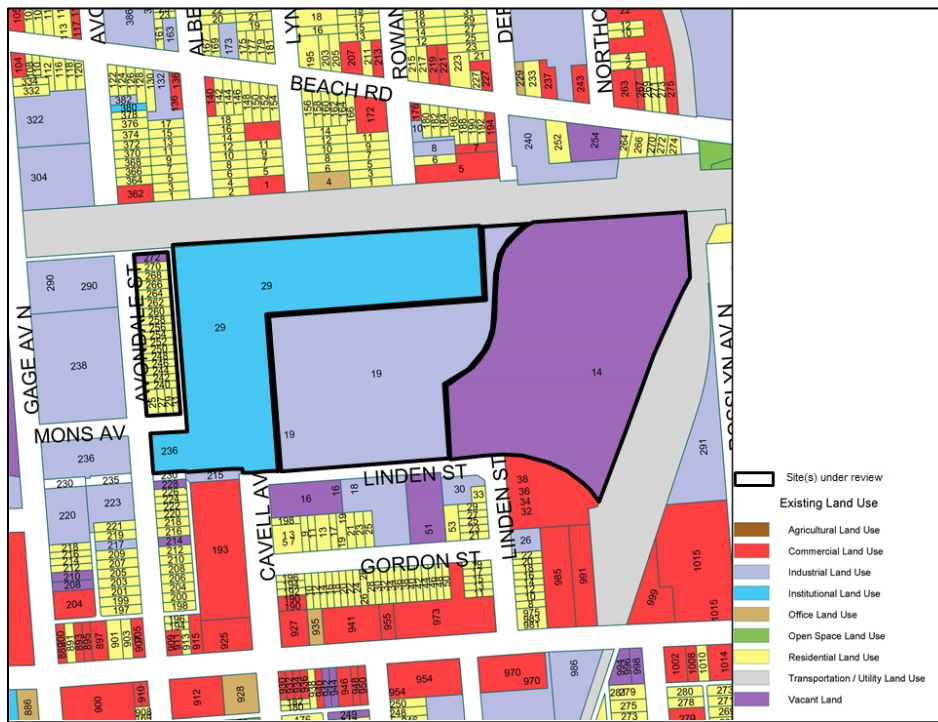


Figure 19 – Conversion Candidates in Linden Street Area

The following parcels are considered for conversion:

Table 6 – Conversion Candidates in area bounded by Gage Avenue North, Burlington Street East, Ottawa Street North, and Barton Street East

Address	Land Use	Zoning	Area (Ha)
14 Linden Street	Vacant/parking	M6 – Light Industrial	3.2 Ha
19 Linden Street	Medium industrial – Auto wreckers	M6 – Light Industrial	2.3 Ha
29 Linden St and 236 Avondale Ave	Institutional – Place of Worship	M6 – Light Industrial - SE/366	2.7 Ha
25-31 Mons Avenue and 240-272 Avondale Street	Residential, one vacant	M6 – Light Industrial	0.4 Ha

Do these parcels meet Criteria 1: Yes, these parcels are located on the southern edge of the industrial area and the block has a mix of uses.

Evaluation: While there a mix of uses within this area, there are also active industrial lands. An auto wreckers yard is located in the middle of these parcels (19 Linden Street). There are also warehousing/distribution and other industrial uses immediately east and west of the parcels under consideration. Residential uses exist on the east side of Avondale Street and a large place of worship occupied 2.7 ha of land (the place of worship was established under the former City of Hamilton Zoning By-law 6593 which permitted places of worship as-of-right throughout the City). If only the residential parcels and the place of worship are converted, land use compatibility issues could arise between existing industrial uses as well as the rail line (does not meet Criteria 2 and 5). The vacant site at 14 Linden St is sizable (3.2 ha) and located adjacent to rail. Conversion of this site may preclude new industry from developing on this site (conflicts with Criteria 3). If these sites were converted to commercial designation, new commercial uses could potentially compete with and jeopardize existing commercial sites along Barton St E (conflicts with Criteria 4).

Recommendation: Retain Employment Area designation. Conversion is not recommended.

2.5 AREA BOUNDED BY KENILWORTH AVENUE NORTH, NIKOLA TESLA BOULEVARD, PARKDALE AVENUE NORTH, AND BARTON STREET EAST

A residential area designated Neighbourhoods borders the Industrial Area to the southwest. Mahoney Park also borders the Industrial Area. In terms of land use, the majority of the area is industrial. A small area at the intersection of Dunbar Ave and Kenilworth Ave N (Homeside) was considered for conversion in the last Conversion

Analysis, however, this area was retained as Industrial Lands due to the predominant industrial land use in the area. A request for conversion has been received for this area, which is discussed in Appendix B.

The area bounded by Strathearne Ave, Barton St E, Parkdale Ave N, and the rail line was also previously considered for conversion in the last Conversion Analysis but was not converted due to compatibility issues with the rail line as well as the predominance of industrial land uses in the area. Since then, a site has become vacant (360 Strathearne Ave). The rail line that passes diagonally through the area has been closed and is proposed as a recreational trail in the Hamilton Recreation Trails Master Plan (proposed "pipeline trail"). The northeast corner of Barton St E and Strathearne Ave is designated Neighbourhoods and the existing use is commercial. The Coca Cola and Orlick industrial uses in this block are still in operation.

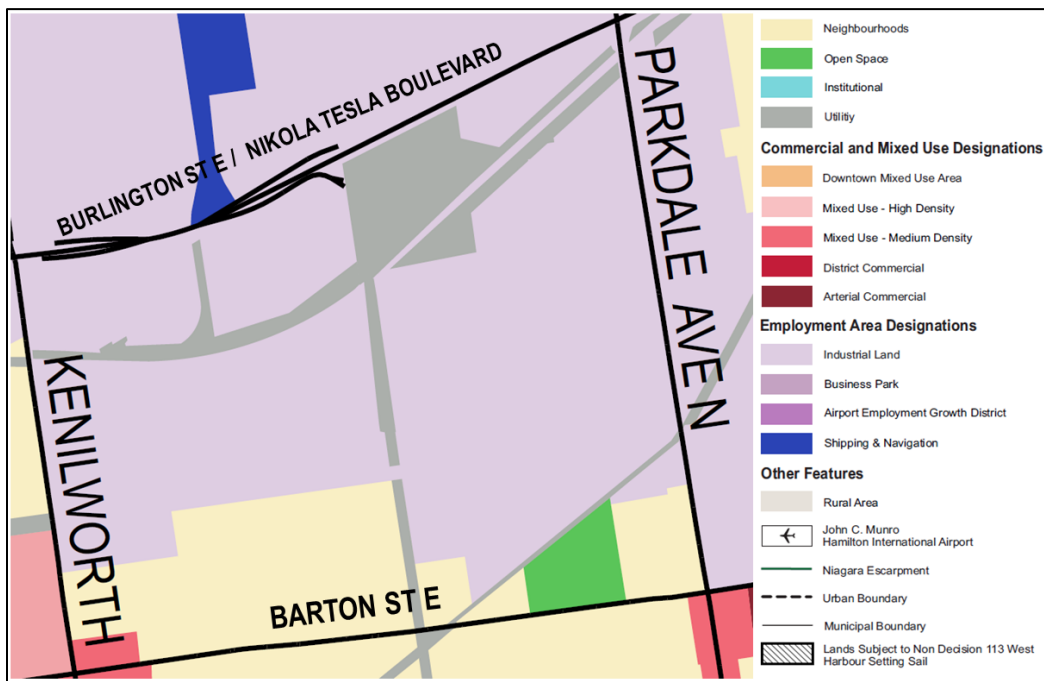


Figure 24 – Land use designations for Area bounded by Kenilworth Ave N, Nikola Tesla Blvd, Parkdale Ave N, and Barton St E

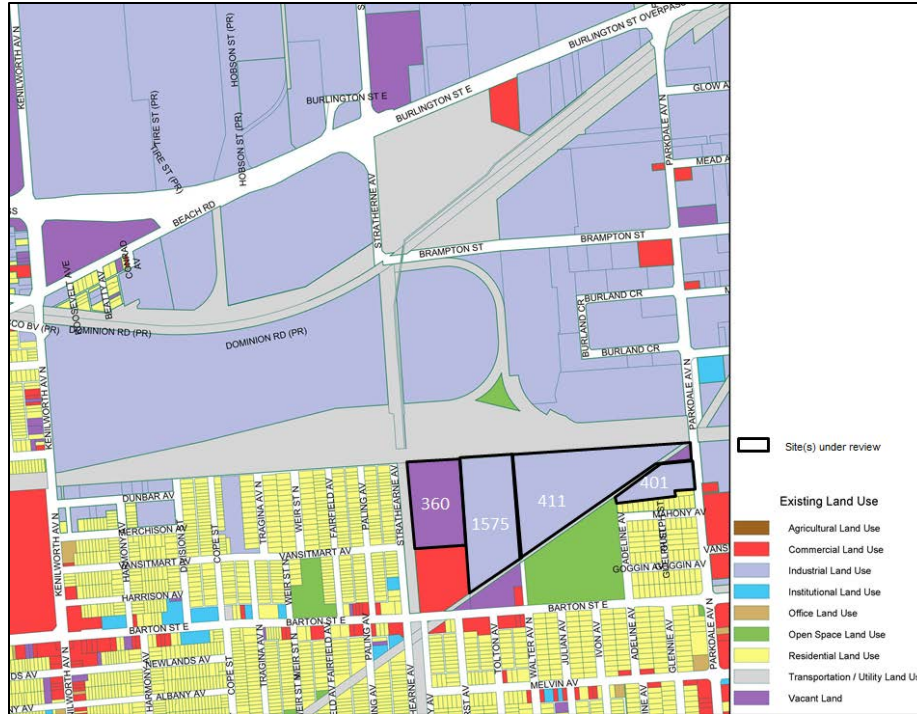


Figure 25 – Land uses for Area bounded by Kenilworth Ave N, Burlington St E/Nikola Tesla Blvd, Parkdale Ave N, and Barton St E

The following parcels are considered for conversion:

Table 7 – Conversion Opportunity Sites in area bounded by Kenilworth Ave N, Burlington St E/Nikola Tesla Blvd, Parkdale Ave N, and Barton St E

Address	Land Use	Zoning	Area (Ha)
360 Strathearne Ave	Vacant	M6 – Light Industrial	2.5 Ha
1575 Barton St E	Medium Industrial – Coca Cola	M6 – Light Industrial	3.5 Ha
411 Parkdale Ave N	Medium Industrial – Orlick Industries (aluminum die-casting)	M6 – Light Industrial	4.6 Ha
401 Parkdale Ave N	Carquest Auto Parts (retail)/ Auto paint shop, Thrifty Car Rental	M6 – Light Industrial	1.1 Ha

Do these parcels meet Criteria 1: Yes, this area contains a mix of uses and is situated along the margin of the Bayfront. The context of the area has also changed since the last Conversion Analysis due to the ceasing of pipeline operations and new vacant lands at 360 Strathearne Ave, warranting a new review.

Evaluation: While the block is mixed use, Coca Cola and Orlick Industries are still functioning industrial uses that make up a large portion of the area block. 360 Strathearne is not recommended for conversion to non-employment designations because it is adjacent to existing industrial uses, and non-industrial uses may be incompatible and effect viability of existing employment uses (does not meet Criteria 5 and 6).

401 Parkdale Ave N is a potential conversion candidate. Conversion of the site would address a need to recognize the existing uses which are primarily retail. The small size of the site will not adversely impact the employment area or other city planning objectives (City criteria 2 and 4 and Growth Plan criteria (d)). The site is already functioning as a primarily retail use, therefore there is no concern for conflict with adjacent industries, satisfying City criteria 2 and 5. Mahoney Park and the former pipeline (planned recreational trail) provide a buffer between the industrial uses and the residential parcels (City criteria 7). The parcels across from 401 Parkdale Ave N on the east side of Parkdale Ave N are also being recommended for conversion because the uses are commercial / retail. The small size of the parcel does not create any infrastructure concerns should it be redeveloped (Growth Plan criteria (e)).

Recommendation: Conversion of 401 Parkdale Ave N to Arterial Commercial is recommended.

2.6 AREA BOUNDED BY PARKDALE AVENUE NORTH, NIKOLA TESLA BOULEVARD, RED HILL VALLEY PARKWAY, & BARTON STREET EAST

This area contains a significant amount of residential lands that are recognized and designated Neighbourhoods in the UHOP, a sizeable site designated Utilities (Hamilton Water), Open Space abutting the Red Hill Valley Parkway. The boundary line of the Bayfront in this area is not straight and rather unclear. Conversion opportunities in the previous Conversion Analysis were Parkview West and Parkview East areas, but these areas were not recommended to the shortlist for conversion due to the predominance of industrial land uses in the area. As the existing context has not changed significantly from the previous analysis, Parkview East and Parkview West will not be reviewed again in this analysis.

McQuesten West (lands on the south side of Barton St E) was reviewed in the last Conversion Analysis and converted to the Arterial Commercial designation. There are

several commercial uses on the north side of Barton St E that warrant conversion consideration. These sites were not considered in the previous conversion analysis.

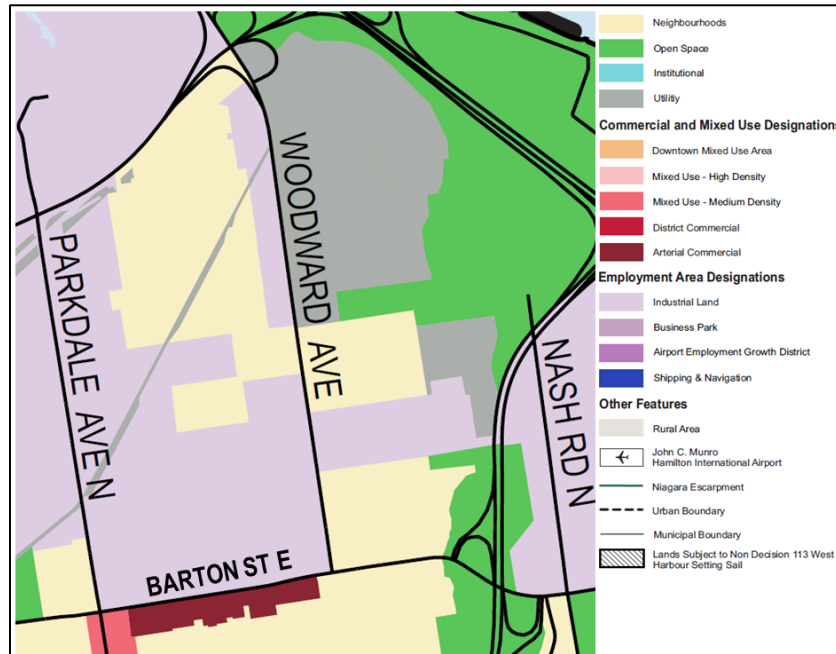


Figure 26 – Land use designations in area bounded by Parkdale Ave N, Nikola Tesla Blvd, Red Hill Valley Pkwy, & Barton St E

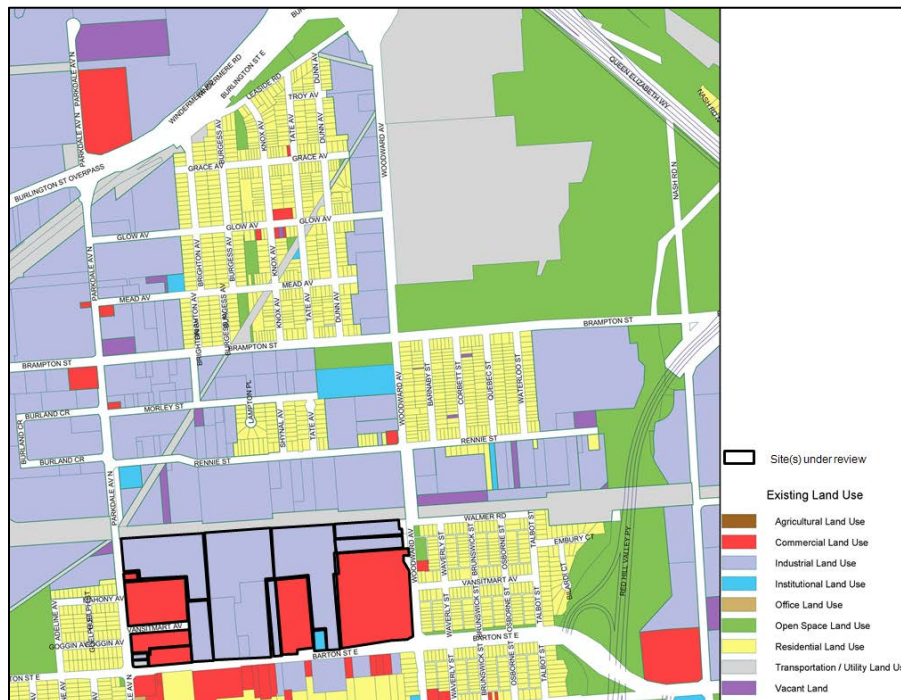


Figure 27 - Land Uses in area bounded by Parkdale Ave N, Nikola Tesla Blvd, Red Hill Valley Pkwy, & Barton St E



Figure 28 - Conversion Candidates in Parkdale Avenue N - Woodward Avenue Area

Parcels under consideration for conversion to non-employment uses include:

Table 8- Area bounded by Parkdale Ave N, Nikola Tesla Blvd, The Red Hill Valley Parkway, & Barton St E

Address	Land Use	Zoning	Area (Ha)
400 Parkdale Ave N	Parkdale Industrial Mall - Carrier Distribution, Gerrie Electric Wholesale, The Equipment Specialist, Hercules, Spectrum Patient Services (patient transfer), WWG HVAC and Refrigeration Wholesaler	M6 – Light Industrial	2.9
380 Parkdale Ave N	Commercial – Service/Auto Repair (Eastgate Collision)	M6 – Light Industrial	0.1
350 Parkdale Ave N	Commercial – Auto sales and rentals (Ford)	M6 – Light Industrial	2.0
324 Parkdale Ave N	Commercial – Auto sales and rentals (Hyundai)	M6 – Light Industrial	0.8
308 Parkdale Ave N	Industrial – Warehousing	M6 – Light Industrial	0.1
300 Parkdale Ave N	Utilities – Hydro One	M6 – Light Industrial	0.1

1811 Barton St E	Commercial – Sales (Spar-Marathon Roofing)	M6 – Light Industrial	0.6
1831 Barton St E	Commercial – Truck dealer (Eastgate Truck Centre)	M6 – Light Industrial	1.0
1851 and 1855 Barton St E	Industrial – McNally, Inter County Concrete Products	M6 – Light Industrial	6.2
1901 Barton St E	Industrial – Trombetta Construction Materials	M6 – Light Industrial	0.4
1911 Barton St E	Commercial – Recreation/Sports Club (Doublerrink Arena)	M6 – Light Industrial	1.9
1925-A Barton St E	Institutional – Community Centre / Hall (Croatian National home office)	M6 – Light Industrial	0.2
1925 Barton St E	Industrial	M6 – Light Industrial	3.9
1945 Barton St E	Commercial – Building and contracting supply establishment (Lowe's)	M6 – Light Industrial	4.0
445-449 Woodward Ave	Industrial	M6 – Light Industrial	0.8
469 Woodward Ave	Industrial – Plastics Plus custom moulding, Broche	M6 – Light Industrial	0.7

Do these parcels meet Criteria 1: Yes, there are several auto-oriented commercial uses on the east side of Parkdale Ave N and north side of Barton St E. The block is mixed use and located along the edge of the industrial area boundary.

Evaluation: There is a predominance of auto-oriented commercial uses at the intersection of Barton St E and Parkdale Ave N. The parcels along the north side of Barton St E between Parkdale Ave N and Woodward Ave are industrial; however a recreational arena as well as a community hall are also fronting Barton St E in this section. The Lowe's at the northwest corner of Barton St E and Woodward Ave is a permitted use in the industrial area. A conversion of some of the sites to the Arterial Commercial designation will complement the existing commercial designations on the south side of Barton St E between Parkdale Ave N and Woodward Ave. However, conversion of all of the sites in this block would amount to a loss in Employment Land of 29.9 Ha, and there are functioning industrial sites in this area.

The parcels recommended for conversion are 300, 308, 324, 350, and 380 Parkdale Ave N, and 1811 and 1831 Barton St E. These parcels are suitable candidates for conversion, because they contain existing land uses that serve a commercial function. There is a need for the conversion to recognize the existing uses. Motor Vehicle Dealerships are not permitted in any of the industrial or business park designations. These uses are more appropriately suited to the Arterial Commercial designation, which is intended to

specialize in commercial uses that require large sites for parking / storage. Because the parcels are already functioning as commercial uses, City criteria 2 and 4 are not offended. As no sensitive uses are permitted in the Arterial Commercial designation, City criteria 3 and 5 and Growth Plan criteria (d) are satisfied. In terms of creating more logical boundaries, this recommendation would not offend this criterion, as the parcels proposed for redesignation are to the immediate east of a residential area that is already disrupting the employment area boundary along Barton Street East. Regarding City criteria 6 and Growth Plan criteria (e), the uses are existing and therefore there is no anticipated negative impact on the local community, servicing or infrastructure.

Recommendation: The parcels recommended for conversion are 300, 308, 324, 350, and 380 Parkdale Ave N, and 1811 and 1831 Barton St E.

3. EAST HAMILTON INDUSTRIAL AREA

The East Hamilton Industrial Area is located south of the Queen Elizabeth Way and north of Barton Street East between the Red Hill Valley Parkway and Grays Road. The western portion of the industrial area (west of Centennial Parkway North) falls within the Centennial Neighbourhoods Secondary Plan study area and is adjacent to the Bayfront Industrial Area. This portion is designated Industrial Land. The eastern portion of the Industrial Area (east of Centennial Parkway North) is contiguous with the Stoney Creek Business Park, and is designated Business Park. A small portion of this area along Barton St E falls within the Centennial Neighbourhoods Secondary Plan study area. The East Hamilton Industrial Area has been identified by the Province as a Provincially Significant Employment Zone.

Industrial uses account for 71 percent of the area in East Hamilton Industrial Area. Other uses include commercial (9 percent of area), transportation/utility (7 percent), and open space (7 percent). Just over 4 percent of the land in the area is vacant.

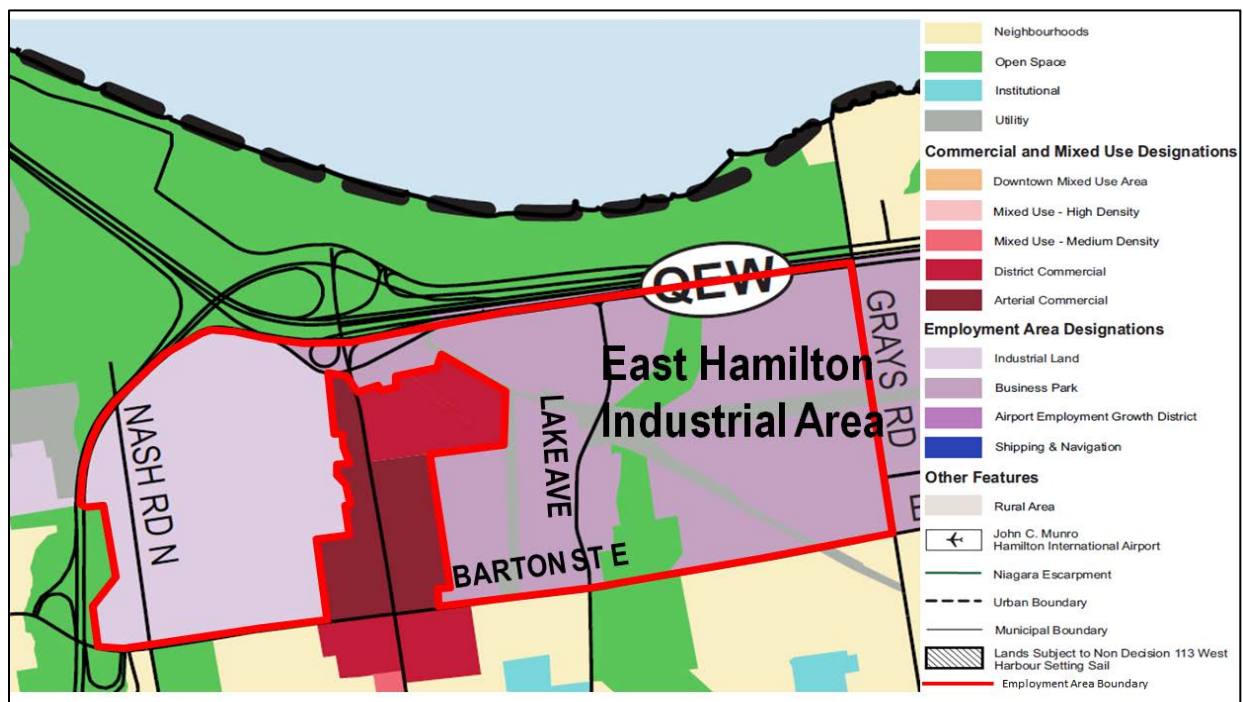


Figure 29 - Land use designations in East Hamilton Industrial Area

Table 9 - Land use Breakdown for lands within East Hamilton Industrial Area

Land Use	Total Hectares (ha)	Percentage of Total Area (%)
Commercial	16.91	9.25
Industrial	131.45	71.9
Institutional	1.46	0.80
Office	0.08	0
Open Space	11.95	6.54
Residential	0.17	0
Transportation/Utility	12.95	7.10
Vacant Land	7.76	4.25
Total	182.73	100

3.1 AREA BOUNDED BY RED HILL VALLEY PARKWAY, QEW INTERCHANGE, CENTENNIAL PARKWAY NORTH, AND BARTON STREET EAST

The lands designated Industrial in this area abut the Arterial Commercial designation to the east approaching Centennial Parkway N, and Neighbourhoods and Open Space designations to the south along Barton St E. This portion of the East Hamilton Industrial Business Park is also adjacent to the Bayfront Industrial Area to the west, and falls within the Centennial Neighbourhoods Secondary Plan study area. The land uses in the area are predominantly industrial. However, there are several auto-oriented commercial uses along the north side Barton St E between the Red Hill Valley Pkwy and the lands already designated Arterial Commercial approaching Centennial Pkwy N. These parcels will be considered for conversion.

There is one Urban Hamilton Official Plan, Volume 3 site specific policy that applies to lands located in this area. UHE-7 applies to lands located at 398, 400, and 402 Nash Road North, and 30, 50, and 54 Bancroft Street. This policy permits a commercial recreation use to be permitted, in addition to uses permitted by the Employment Area – Industrial Land Designation.

A portion of this area falls within the approved Centennial Neighbourhoods Secondary Plan area. The Secondary Plan identifies lands along the north side of Barton Street East as Area Specific Policy – Area H. The area specific policy directs that these lands be considered for conversion through the municipal comprehensive review.

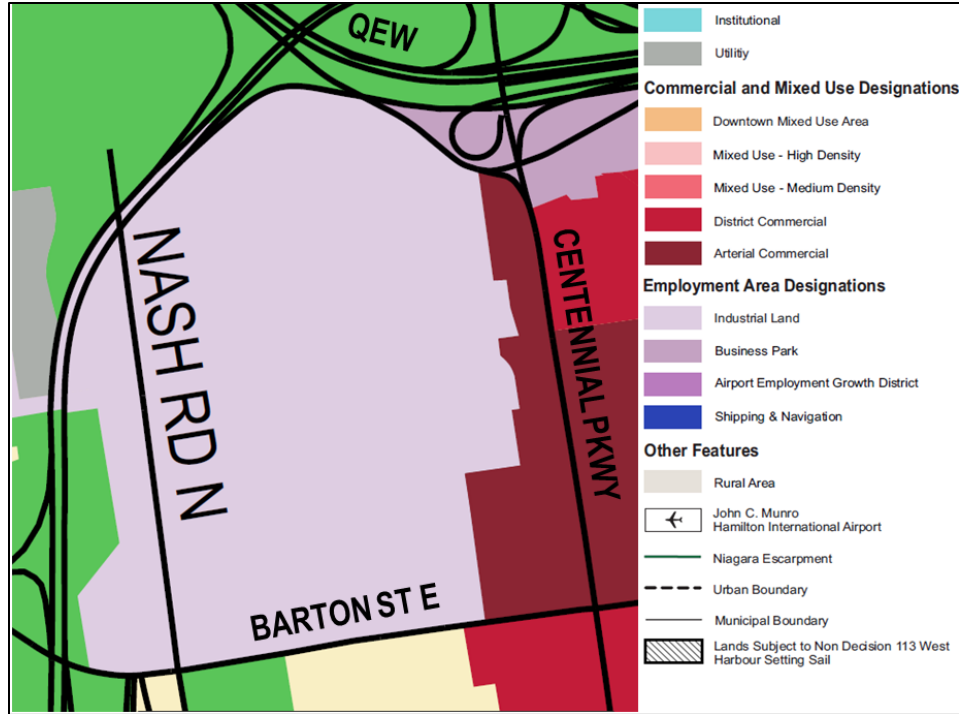


Figure 30 - Land use designations in area bounded by Red Hill Valley Pkwy, QEW, Centennial Pkwy N, and Barton St E

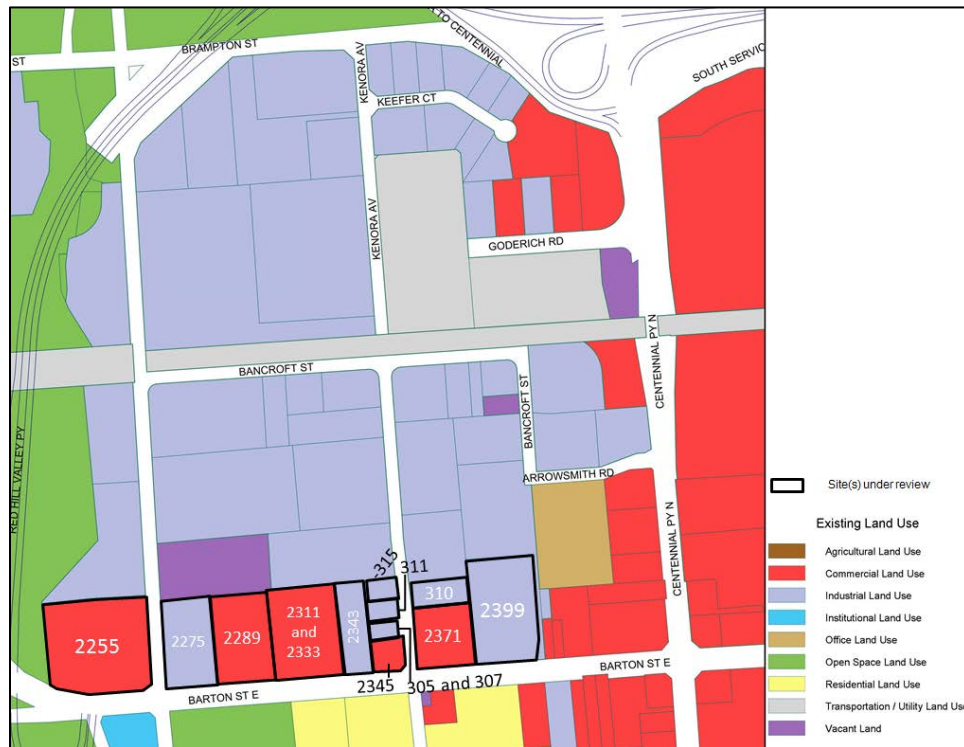


Figure 31 - Land uses in area bounded by Red Hill Valley Pkwy, QEW, Centennial Pkwy N, & Barton St E

Parcels for conversion consideration include:

Table 10 – Conversion Candidates along Barton St E between Red Hill Valley Pkwy and Centennial Pkwy N

Address	Land Use	Zoning	Area (Ha)
2255 Barton St E	Commercial – Plaza with restaurant, grocery	M6 – Light Industrial - SE/417	2.4
2275 Barton St E	Industrial - Uhaul self-storage	M6 – Light Industrial	1.1
2289 Barton St E	Commercial – Hall/Sports Club – Ultimate Cycle	M6 – Light Industrial - SE/640	1.3
2311 & 2333 Barton St E	Commercial – Toyota Car Dealership	M6 – Light Industrial - SE/640	1.6
2243 Barton St E	Medium Industrial - (Fellfab)	M6 – Light Industrial	0.7
2345 Barton St E	Commercial – M & R Automotive, Tint Boyz	M6 – Light Industrial	0.3
305 & 307 Kenora Ave	Commercial – Billy Buff Auto Spa	M6 – Light Industrial	0.1
311 Kenora Ave	Hess Millwork	M6 – Light Industrial	0.2
315 Kenora Ave	Industrial – Truck Drivers of Canada	M6 – Light Industrial	0.2
310 Kenora Ave	Industry - Modern Training Ontario (Truck/Forklift), ColTek (Electronics repair), Advantage Machining	M6 – Light Industrial	0.3
2371 Barton St E	Commercial (Grocery – Lococo’s)	M6 – Light Industrial - SE/640	0.9
2399 Barton St E	Medium Industrial (Appears Vacant)	M6 – Light Industrial	1.8

Do these parcels meet Criteria 1: Yes, these parcels are located along the edge of the industrial area and the majority of uses are commercial.

Evaluation: As previously mentioned, Area Specific Policy – Area H is applicable to the lands on the north side of Barton St E. The policy directs these lands to be considered for conversion, as follows:

“6.7.18.8 Area Specific Policy – Area H (north side of Barton Street) For the lands located on the north side of Barton Street East, designated Light Industrial and

Business Park, shown as Area H on Map B.6.7-4 – Centennial Neighbourhoods Secondary Plan – Site Specific Policy Areas, the City shall assess of the appropriateness of these lands as employment lands during the next municipal comprehensive review, and may consider a conversion to other uses. The assessment shall consider, but is not limited to the following factors:

- a) the existing function of the lands;
- b) the proximity of the lands to major transportation routes;
- c) opportunities to introduce transitional land uses along the edge of the industrial area; and,
- d) consideration of the potential need for arterial commercial lands City-wide.”

Barton St E in this area has evolved from industrial uses to auto-oriented commercial uses. The Industrial land use designation is no longer appropriate. Converting these sites to commercial use would create a buffer between the sensitive land uses on the south side of Barton St E and the industrial uses north of Barton St in this area, thereby recognizing the transitional role that these lands play between residential and industrial land uses in the area. City criteria 2, 3 and 5 and Growth Plan criteria (d) are satisfied as there is no introduction of sensitive uses, which are not permitted in the Arterial Commercial designation.

Arterial Commercial parcels along Centennial Parkway have been redesignated to Mixed Use – Medium Density through the secondary plan process. A conversion of parcels along Barton St E to the Arterial Commercial designation will complement the planned land use designations of the parcels along Centennial Parkway North by allowing for different types of commercial uses, and compensate for the loss of Arterial Commercial lands in the area, satisfying criteria 4 and 6. Criteria 7 is not offended as the conversion will result in a logical boundary of the Arterial Commercial designation on the north side of Barton St. It is not anticipated that the conversion would result in a negative impact on infrastructure or public service facilities, satisfying Growth Plan criteria (e).

Recommendation: Convert all identified parcels to Arterial Commercial designation.

3.2 AREA BOUNDED BY CENTENNIAL PARKWAY, QEW, GRAYS ROAD, AND BARTON STREET EAST

The land use designation in this portion of the industrial area is Business Park. To the west, the business park abuts District Commercial and Arterial Commercial designations. Open Space and Utility designations are also located throughout the area.

There is one Urban Hamilton Official Plan site specific policy in this area. UHE-6 applies to lands located at 50 Covington Street, and permits a motor vehicle repair garage in addition to the permitted uses in the Employment Area – Business Park designation.

The majority of parcels in the area are industrial in use. Through the Council adopted Centennial Neighbourhoods Secondary Plan, one site has been identified as a potential conversion candidate and will be reviewed here (area specific policy – Area H).

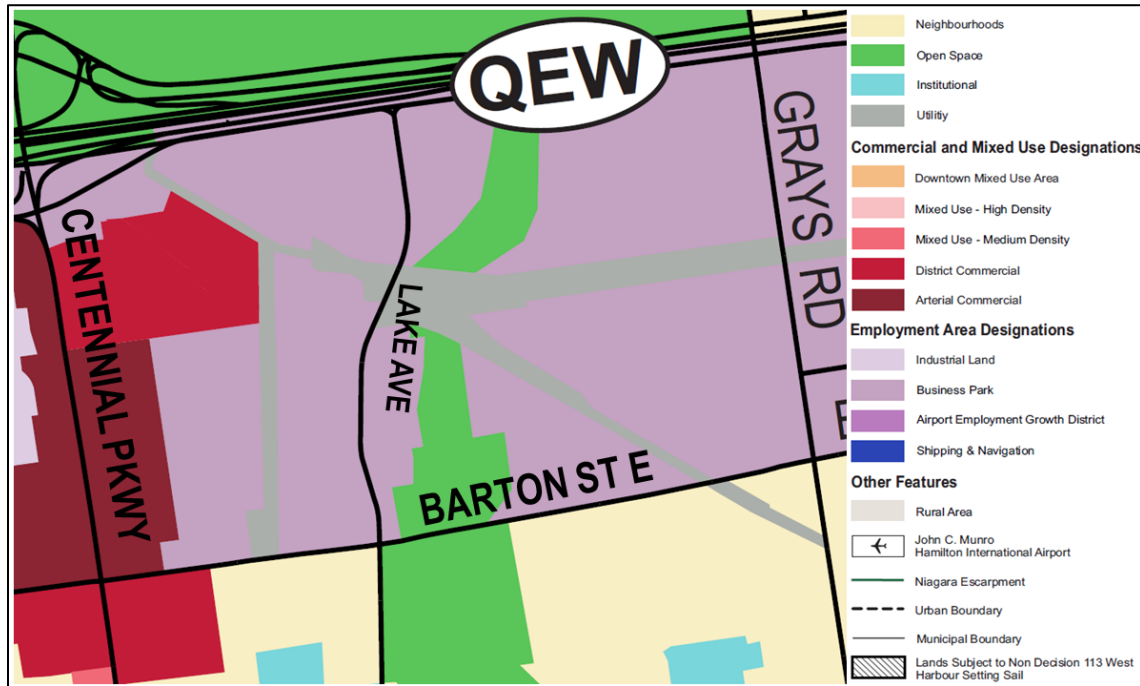


Figure 32 - Land Use Designations in Area bounded by Centennial Pkwy, QEW, Grays Rd, and Barton St E

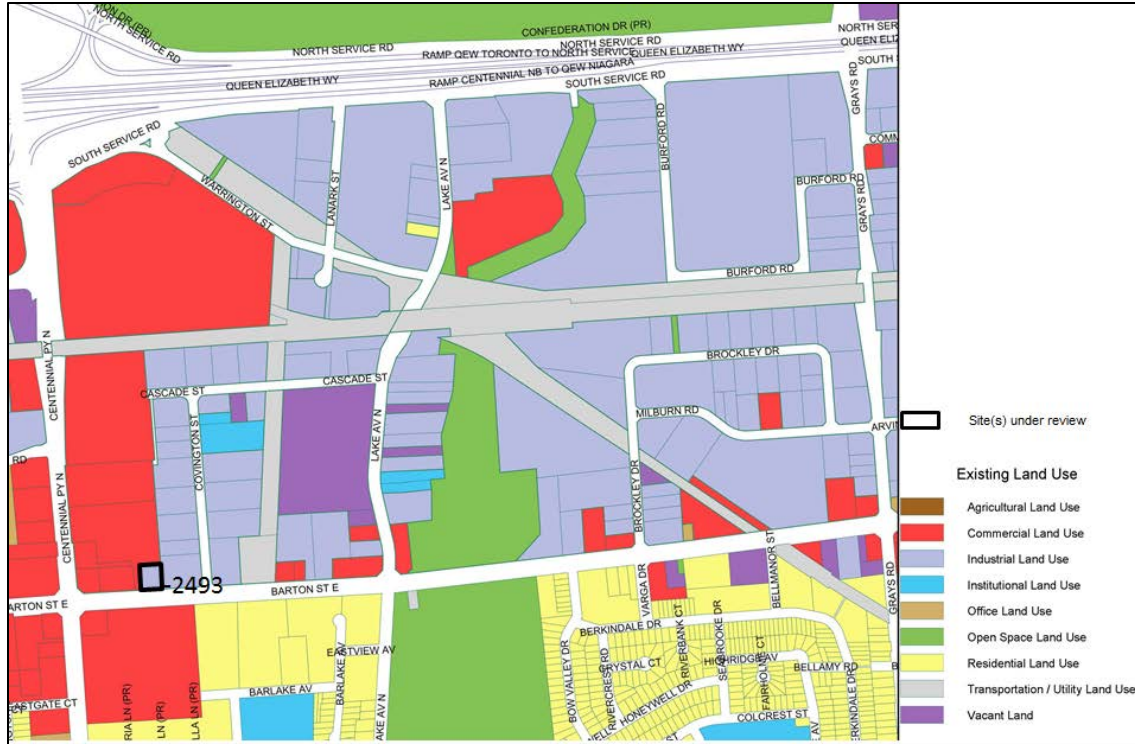


Figure 33 - Land Uses and sites for conversion consideration in area bounded by Centennial Pkwy, QEW, Grays Rd, and Barton St E

Site under consideration for conversion:

Table 11 - Site under conversion consideration along Barton St E between Red Hill Valley Pkwy and Centennial Pkwy N

Address	Land Use	Zoning	Area (Ha)
2493 Barton St E	Commercial – Speedy Glass, Mian Grocer, Young Kings Detailer, Krishna Sweets, Greco’s Auto Repair	M3 – Prestige Business Park	0.24

Does this site meet Criteria 1: Yes, this site is in a mixed use area along the southern edge of the industrial area.

Evaluation: This site has been identified through the Centennial Neighbourhoods Secondary Plan as Area Specific Policy – Area H, which is to be considered for potential conversion through the MCR process. Area Specific Policy – Area H is as follows:

“6.7.18.8 Area Specific Policy – Area H (north side of Barton Street) For the lands located on the north side of Barton Street East, designated Light Industrial and Business Park, shown as Area H on Map B.6.7-4 – Centennial Neighbourhoods Secondary Plan – Site Specific Policy Areas, the City shall assess of the

appropriateness of these lands as employment lands during the next municipal comprehensive review, and may consider a conversion to other uses. The assessment shall consider, but is not limited to the following factors:

- a) the existing function of the lands;
- b) the proximity of the lands to major transportation routes;
- c) opportunities to introduce transitional land uses along the edge of the industrial area; and,
- d) consideration of the potential need for arterial commercial lands City-wide.”

Conversion of this site would result in a more logical land use boundary for both the Mixed Use – High Density designation and the Sub-Regional Service Node boundary. Conversion of the site will not violate any of the conversion criteria and will not offend the considerations identified in Area Specific Policy – Area H due to its small size and location at the periphery of the Business Park designation.

Recommendation: Conversion of 2493 Barton St E is recommended.

4. RED HILL BUSINESS PARK (NORTH AND SOUTH)

Red Hill Business Park is 546 ha in size. It is generally thought of as two separate business parks – Red Hill Business Park North and Red Hill Business Park South. The Red Hill North and South Business Parks have been identified by the Province as a Provincially Significant Employment Zone.

4.1 RED HILL BUSINESS PARK NORTH

Red Hill Business Park North is 250 Ha that is bounded by the Lincoln Alexander Parkway, Upper Ottawa Street, Rymal Road East, and roughly follows the Upper Red Hill Valley Parkway. The land use designation in the area is Business Park, however there is a large portion of the area designated Open Space through the middle of the business park, as well as several intersection areas where lands are designated Arterial Commercial or District Commercial.

There are four Urban Hamilton Official Plan, Volume 3 site specific policies that apply to lands in this area, as follows:

- UHE-1 applies to lands located at 320 Anchor Road, Hamilton, and permits an observation and detention home, in addition to uses permitted in the Employment Areas – Business Park designation;
- UHE-2 applies to lands located at 230 Anchor Road, Hamilton, and permits limited commercial uses associated with a wedding centre to be permitted in the Employment Areas – Business Park designation;
- UHE-3 applies to lands located at 10 Dartnall Road, Hamilton and permits a garden centre and related uses in the Employment Area – Business Park designation;
- UHE-4 applies to lands located at 211 Pritchard Road, Hamilton, and provides a series of policies to provide a framework for how the site should be developed, including permitted uses, prohibited uses, criteria for offices, and urban design; and,
- UHE-5 applies to lands located at 406 Pritchard Road, Hamilton, and permits a private community centre, including a place of worship, in addition to uses permitted in the Employment Area – Business Park designation.

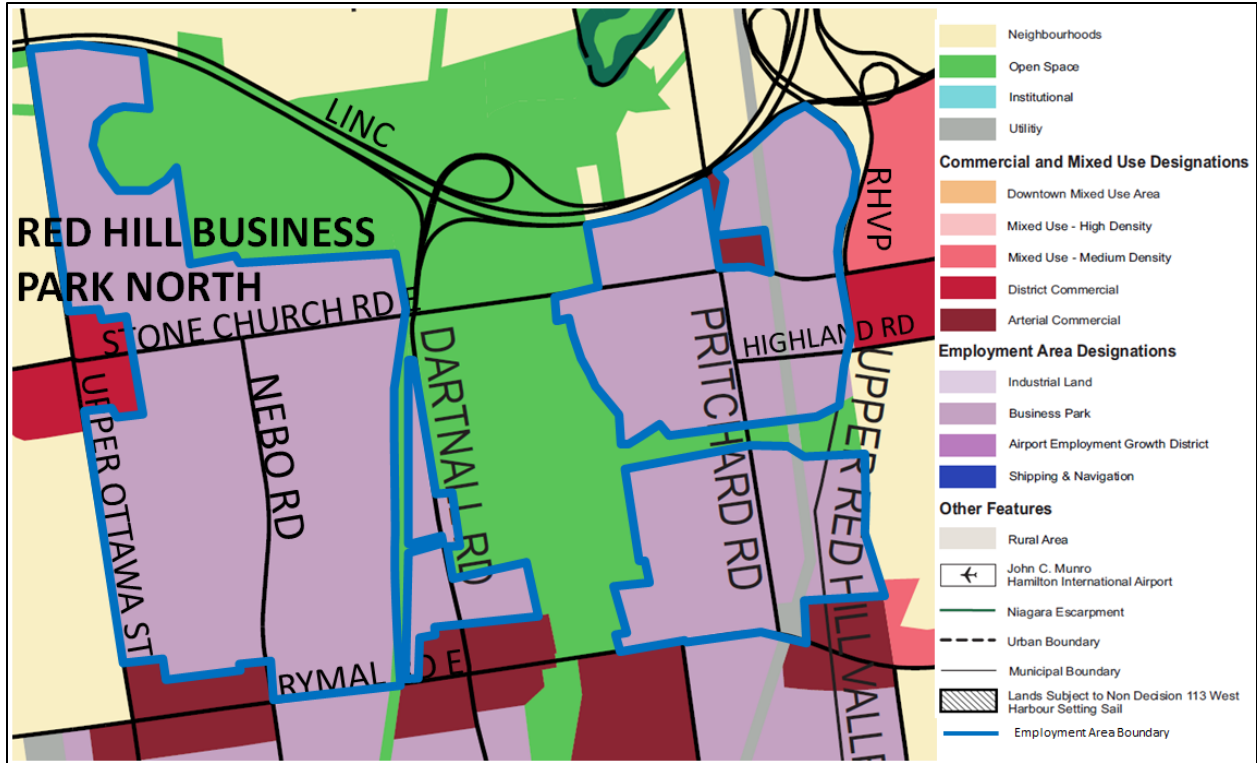


Figure 38 – Land use designations in Red Hill North Business Park

The predominant land use in the area is industrial (43 percent of area). Vacant land accounts for 24 percent of the total area.

Table 12 - Land use designations in Red Hill Business Park North

Land Use	Total Hectares (ha)	Percentage of Total Area (%)
Agricultural	6.06	2.42
Commercial	19.24	7.69
Industrial	107.88	43.13
Institutional	16.36	6.54
Office	6.11	2.44
Open Space	1.8	0.72
Residential	8.74	3.50
Transportation/Utility	22.86	9.14
Vacant Land	61.08	24.42
Total	250.13	100



Figure 39 – Land Uses in Red Hill Business Park North

Lands considered for conversion in Red Hill Business Park North are identified in Table 13, as well as in Figures 36 and 37 below.

Note: A conversion request has been received for the lands located in the northeastern corner of the business park (1725 Stone Church Road East), and will be considered as part of Appendix B.

Table 13 - Opportunity Sites for Conversion in Hamilton Mountain (Red Hill) Business Park

Address	Land Use	Zoning	Area (Ha)
1150 Stone Church Road East	Institutional – Place of Worship	M3 – Prestige Business Park - SE/369	1.1
1151 Stone Church Road East	Industrial / Commercial - Super Sausage	M3 – Prestige Business Park	0.3
1157 Stone Church Road East	Vacant	M3 – Prestige Business Park	0.3
1175 Stone Church Road East	Commercial Plaza (Signarama, East	M3 – Prestige Business Park	0.3

	Mountain Animal Hospital, Nail Salon)		
1185 Stone Church Road East	Commercial Recreation (Mountain Sports Complex)	M3 – Prestige Business Park	0.3
1215 Stone Church Road East	Commercial (Recreation and Sports Club – 5-star Fitness)	M3 – Prestige Business Park	0.8
1221 Stone Church Road East	Industrial – Ontario Stone Design/The Butler’s Kitchen	M3 – Prestige Business Park	0.3
1227 Stone Church Road East	Institutional – Emergency and Medical Services Training Centre	M3 – Prestige Business Park	2.8
1249 Stone Church Road East	Commercial – Carquest Auto Parks, Donut Diner	M3 – Prestige Business Park	0.5
1423 Upper Ottawa St	Commercial Plaza	M4 – Business Park Support	0.6
1439 Upper Ottawa St	Commercial Plaza	M4 – Business Park Support - SE/369	0.7
1447 and 1453 Upper Ottawa St	Commercial Plaza	M4 – Business Park Support	0.8
1475 Upper Ottawa St	Institutional/Commercial – Plaza Mall, Stone Church Family Health Centre	M4 – Business Park Support	0.9
1515 Upper Ottawa St	Commercial Plaza	M4 – Business Park Support	0.3
1521-1527 Upper Ottawa St	Commercial Plaza	M4 – Business Park Support	0.9
1555 Upper Ottawa St	Banquet Hall (Michelangelo’s)	M4 – Business Park Support	1.4

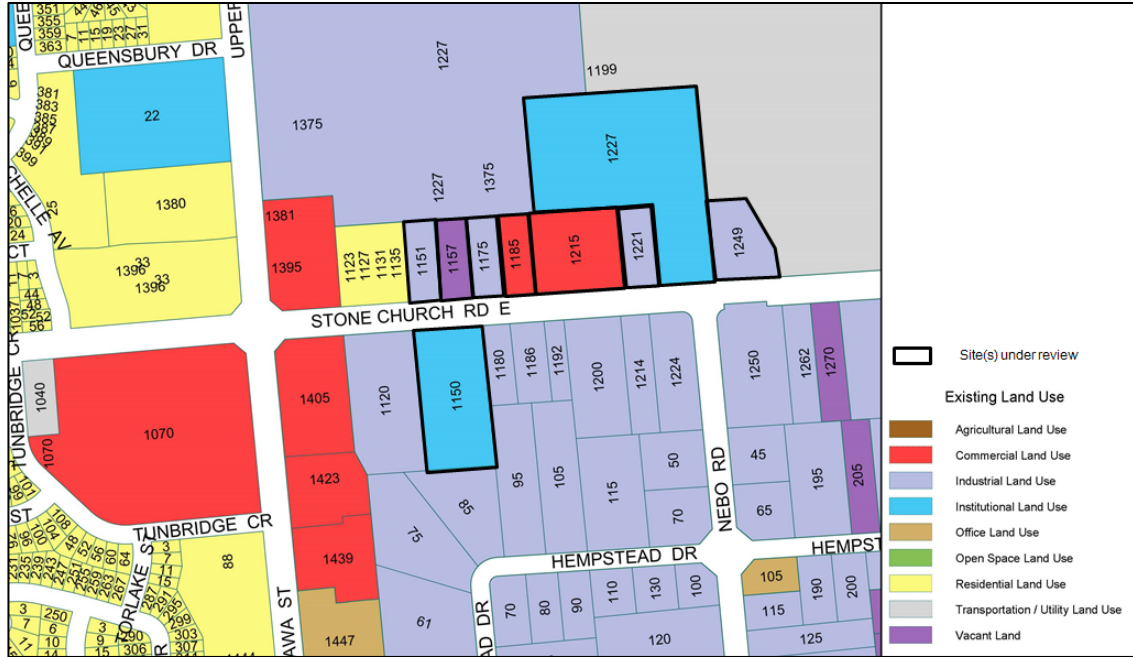


Figure 40- Land uses and sites under review in Red Hill Business Park North

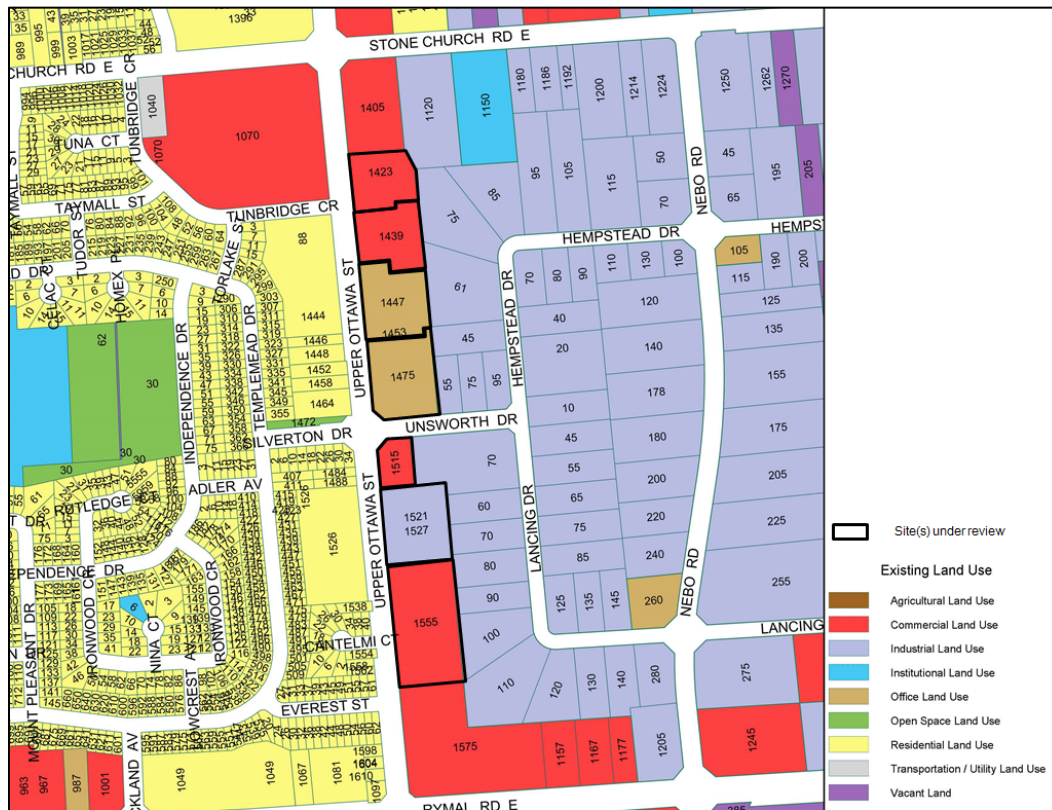


Figure 41 - Land uses and sites under review in Red Hill Business Park North

1150 – 1249 Stone Church Road East

Do these parcels meet Criteria 1: No, these parcels are not along the margin of the Business Park.

Evaluation: The institutional use at 1150 Stone Church Road E is permitted by the current zoning and is too small to recognize as an Institutional designation based on UHOP requirements. The emergency services training facility at 1227 Stone Church is a public use permitted by the zoning by-law. This parcel is large and should retain the employment designation in the event that the current use ceases, then it may be redeveloped for employment uses. The other existing uses are quasi commercial/industrial sites. Redesignation would extend the commercial designation further into the Business Park which is not preferred.

Recommendation: Retain Employment Area designation. No conversions recommended.

1423 – 1555 Upper Ottawa Street

Do these parcels meet Criteria 1: Yes, these parcels are along the margin of the Business Park and contain a mix of uses, predominantly commercial.

Evaluation: The uses on these sites are predominantly commercial in nature, with large commercial plazas containing quick serve food, financial establishments, offices, as well as a stand-alone medical clinic and a stand-alone banquet hall. Directly south of the banquet hall at the northeast corner of Rymal Road E and Upper Ottawa Street are lands designated Arterial Commercial. The District Commercial designation and appropriate District Commercial (C6) zoning permit commercial uses in larger commercial plazas and as stand-alone commercial buildings located on major roads. In addition, the District Commercial (C6) zone permits medical clinics, whereas the Arterial Commercial (C7) zone does not. The intent of the designation and zone is to serve the daily and weekly needs of the residents in the immediate neighbourhood. As such, the existing uses would be appropriately redesignated and rezoned to District Commercial. This conversion would not offend any of the conversion criteria as it represents a recognition of the uses already present on the lands. The extent of the plaza-form commercial uses along this portion of Upper Ottawa make it unlikely that the lands would ever revert to industrial uses in the future and therefore there is a need for conversion to recognize the existing uses. There is no concern with incompatibility as sensitive uses are not permitted in the Arterial Commercial designation. Further, the extension of the commercial designation represents a logical extension of commercial designations along the length of Upper Ottawa Street.

Recommendation: Convert 1423, 1439, 1447, 1453, 1475, 1515, 1521, 1527, and 1555 Upper Ottawa Street to District Commercial.

4.2 RED HILL BUSINESS PARK SOUTH

The southern half of the Red Hill Business Park South abuts the urban boundary. The northern half of the business park either abuts the Neighbourhoods designation or the Red Hill Business Park North. There are also scattered Arterial Commercial sites along Rymal Road East and south of Twenty Road East. A large Utility corridor bisects the area. Some lands are designated Open Space.

There is a large amount of vacant land in Red Hill Business Park South (54 percent of total area or 161 ha). Other significant land uses include industrial (26 percent) and agricultural (15 percent).

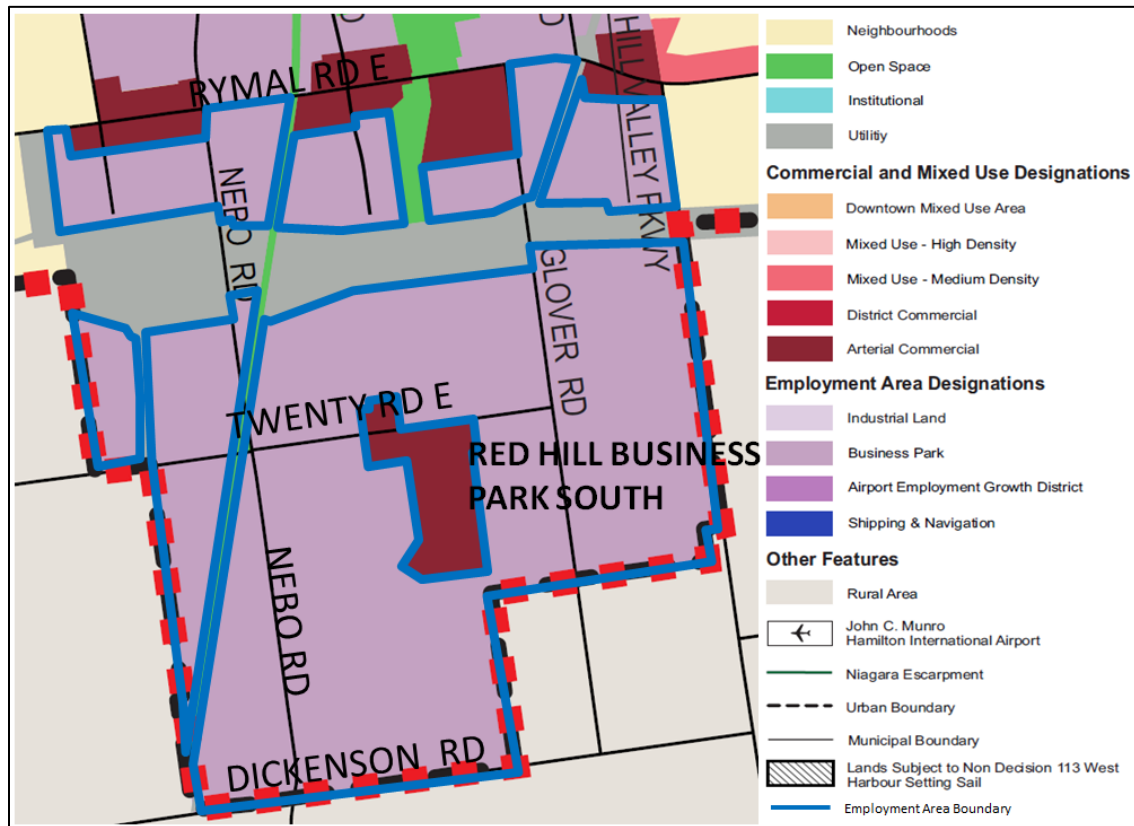


Figure 42 – Land Use Designations in Red Hill Business Park South

Table 14 – Land use breakdown in Red Hill Business Park South

Land Use	Total Hectares (ha)	Percentage of Total Area (%)
Agricultural	44.37	14.97

Commercial	3.9	1.32
Industrial	76.3	25.74
Institutional	1.04	0.35
Office	0.06	0
Open Space	0.01	0
Residential	6.26	2.11
Transportation/Utility	3.06	1.03
Vacant Land	161.46	54.50
Total	296.46	100

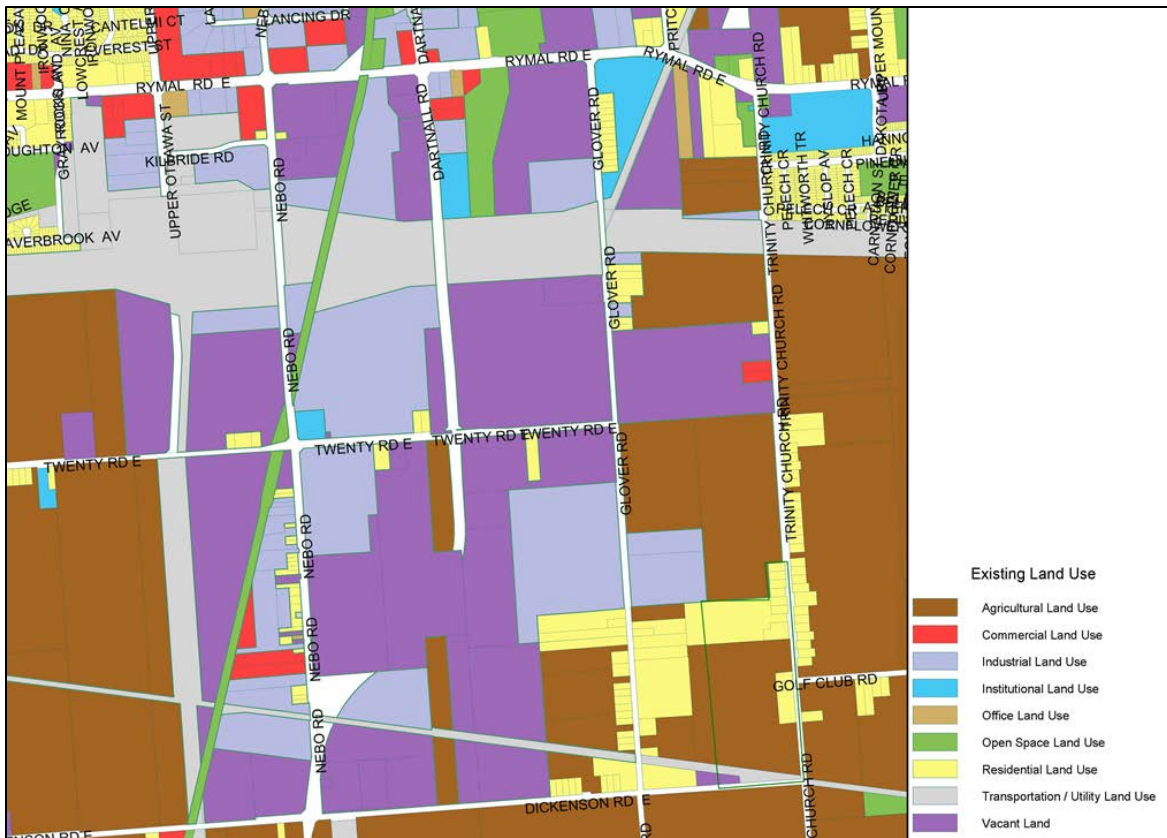


Figure 43 – Land Uses in Red Hill Business Park South

Opportunity site for conversion includes:

Table 15 – Site under review for conversion in Red Hill Business Park South

Address	Land Use	Zoning	Area (Ha)
10 Trinity Church Road	Institutional – Place of Worship	AA - Agriculture	.03
12 Trinity Church Road	Cemetery	P4 – Open Space	0.78

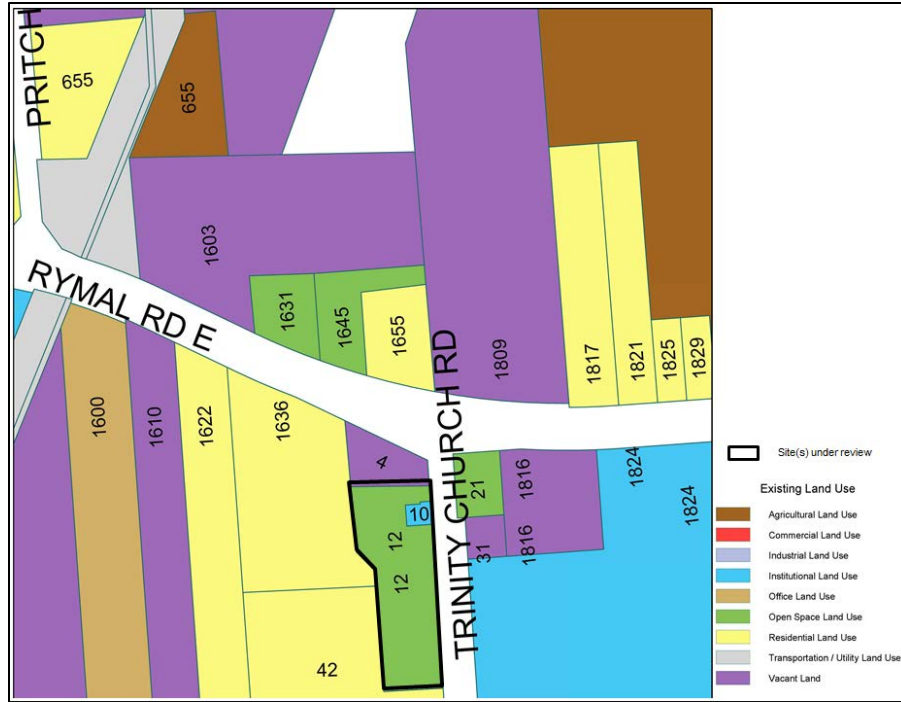


Figure 44 – Land uses and sites under review in Red Hill Business Park South

Does this parcel meet Criteria 1: Yes, this parcel is located on the edge of the employment area, and is located in a mixed-use area.

Evaluation:

These parcels are used for non-employment uses (church and cemetery), and are located on a corner where there are a variety of non-employment uses. These lands are located on the eastern boundary of the employment area. Directly to the north (4 Trinity Church Road), the lands are designated Arterial Commercial and are currently used for parking associated with the church. The Central Park residential Plan of Subdivision is planned and being developed to the north on the north side of Rymal Road East. The lands directly to the east are designated Neighbourhoods, and are currently vacant. Other adjacent land uses also include residential and commercial (to the west and south).

While the employment designation is not an accurate reflection of the existing land use, staff are concerned about conversion of this site leading to pressure to convert additional sites in this area of Rymal and Trinity Church Roads. This would not satisfy criteria 2 in terms of impacting the long term viability of the employment area.

Recommendation: No conversion is recommended, but the zoning on the parcel at 10 Trinity Church Road (place of worship) should be updated through a future housekeeping amendment to reflect the existing use with a site specific zone.

5. FLAMBOROUGH BUSINESS PARK

Flamborough Business Park is a 153 ha business park located in Waterdown. It is bounded by the urban boundary to the west, south, and east. The major intersection of Clappison’s Corners (Hwy 6 and Dundas St) is located at the core of Business Park. Abutting urban land use designations include Neighbourhoods to the northeast, District Commercial to the northeast, and Open Space through the middle of the business park.

There are two Urban Hamilton Official Plan, Volume 3, site specific policies that apply to lands located in the Flamborough Business Park. UFE-1 applies to the North Wentworth Community Centre and Harry Howell Arena, located at 27 Hwy 5. This site specific policy permits a community centre, arena, and community park, in addition to the uses already permitted by the Employment Area – Business Park designation.

UFE-2 applies to a portion of the lands located at 56 Parkside Drive, 90 and 96 Parkside Drive and 546 Highway No. 6, Flamborough (see Figure below), and restricts the uses on these portions of the land to Natural Open Space.

The predominant land use in the Flamborough Business Park is industrial, with over 45 ha or 31 percent of the total area. Vacant land and agriculture account for 25 percent and 23 percent of the total area, respectively. There is a large institutional use (North Wentworth Community Centre and Harry Howell Arena) located at the intersection of Highway 6 and Highway 5 W, Flamborough.

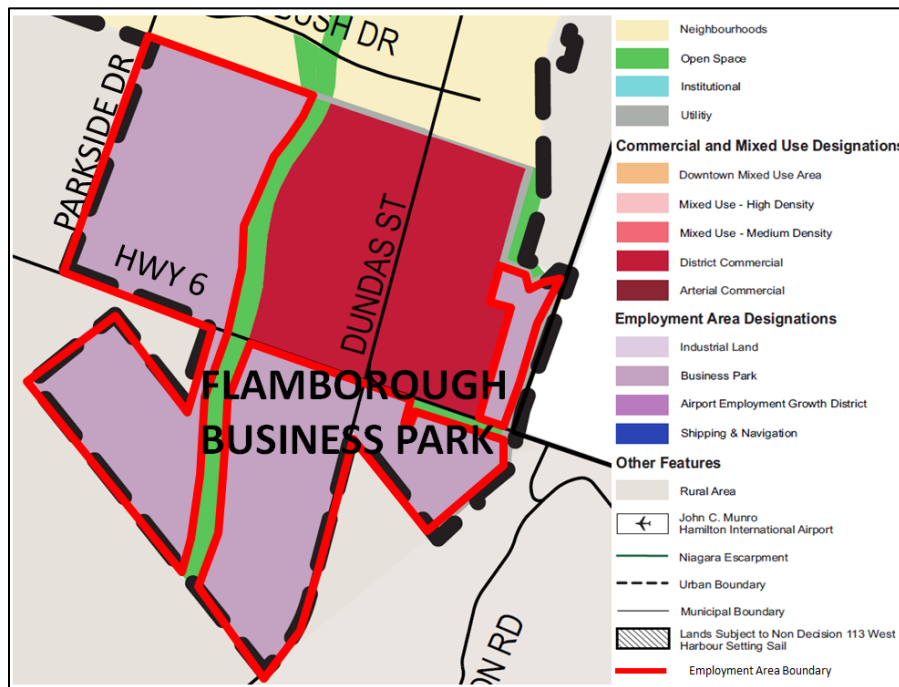


Figure 51 - Land designations in Flamborough Business Park

Table 16 - Land Use in Flamborough Business Park

Land Use	Area (Ha)	Percentage of Total Area (%)
Agriculture	35.8	23.45
Commercial	3.69	2.42
Industrial	46.54	30.49
Institutional	8.11	5.31
Office	3.52	2.31
Open Space	7.67	5.02
Residential	6.05	3.96
Transportation/ Utility	3.57	2.34
Vacant Lands	37.69	24.69
Total	152.64	100

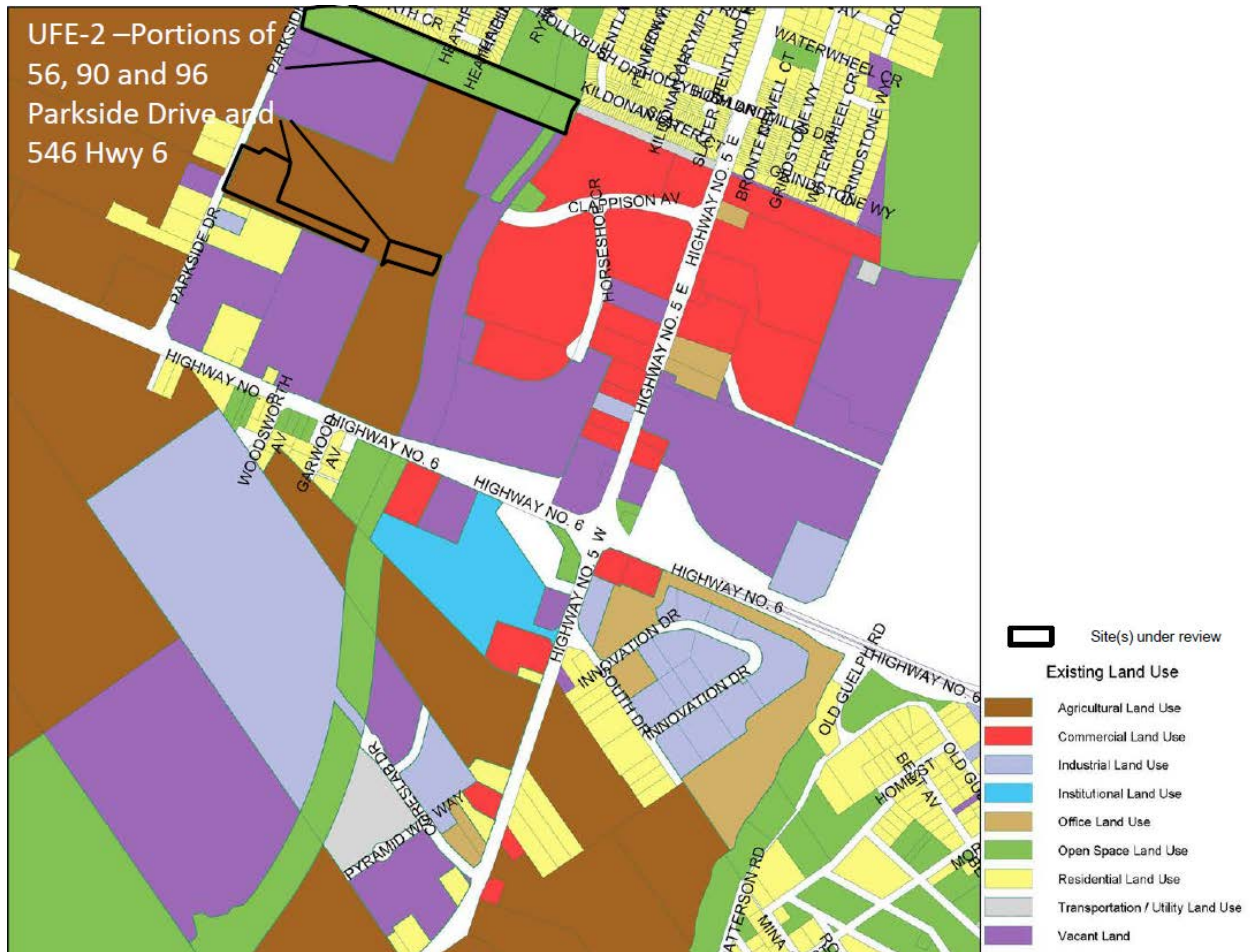


Figure 52 - Land uses in Flamborough Business Park

Site under consideration:

Table 17 – Site under consideration for conversion in Flamborough Business Park

Address	Land Use	Zoning	Area (Ha)
Portions of lands located at 56 Parkside Drive, 90 and 96 Parkside Drive and 546 Hwy 6	Natural open space	P5 –	4.06
		Conservation /	+1.96 =
		Hazard Lands	6.02

Does these sites meet Criteria 1: Portions of 56 Parkside Drive, 90 & 96 Parkside Drive, and 546 Hwy 6 are not located at the periphery of the Business Park, however, the protection of these lands through conversion to an Open Space designation is important.

Evaluation:

These lands are critical Linkages, as identified in the Urban Hamilton Official Plan Natural Heritage System on Schedule B. As mentioned previously, Site Specific Policy UFE-2 restricts the uses on these lands to Natural Open Space only. Thus, the policy framework supports the direction to protect these lands through the conversion to Open Space, and supports the need for conversion.

Recommendation: Conversion to the Open Space designation is recommended for portions of 56 Parkside Drive, 90 & 96 Parkside Drive, and 546 Hwy 6.

6. CONCLUSIONS AND RECOMMENDATIONS

11.1 SUMMARY OF RECOMMENDED CONVERSIONS FROM EMPLOYMENT LAND CONVERSION ANALYSIS

Based on the above analysis, the following areas have been identified for conversion to a non-employment use:

Address	Existing Land Use	Zoning	Area (ha)	Recommendation
Bayfront Industrial Area				
390 Victoria Ave	Vacant, parking	M6 - Light Industrial – SE/375	0.2	Neighbourhoods, (site specific policy)
15 – 35 Shaw St	Residential	M6 - Light Industrial – SE/375	0.2	Neighbourhoods
65 Shaw St	Vacant, parking	M6 - Light Industrial – SE/375	0.2	Neighbourhoods
360 – 368 Emerald St	Residential	M6 - Light Industrial – SE/375	0.05	Neighbourhoods
71 – 99 Shaw St	Residential	M6 - Light Industrial – SE/375	0.25	Neighbourhoods
103 Shaw St	Vacant	M6 - Light Industrial – SE/375	0.04	Neighbourhoods
6 – 10 Douglas Ave	Residential	M6 - Light Industrial – SE/375	0.03	Neighbourhoods
16 Douglas Ave	Community Garden	M6 - Light Industrial – SE/375	0.07	Neighbourhoods
107 – 117 Shaw St	Residential	M6 - Light Industrial – SE/375	0.07	Neighbourhoods
121 Shaw St	Commercial - office	M6 - Light Industrial – SE/375	0.2	Neighbourhoods (site specific policy)
83 – 105 Cheever St	Residential	M6 - Light Industrial – SE/375	0.2	Neighbourhoods

110- 166 Burton St	Residential	M6 - Light Industrial – SE/375	0.4	Neighbourhoods
286 Sanford Ave	Commercial – office, vacant	M6 – Light Industrial	0.2	Neighbourhoods (site specific policy)
42 Westinghouse Ave	Vacant, parking	M6 – Light Industrial	0.5	Neighbourhoods (site specific policy)
268 – 276 Sanford Ave N & 13 – 23 Westinghouse Ave	Residential, vacant	M6 – Light Industrial	0.3	Neighbourhoods
43 Lloyd Street	Vacant, industrial (automotive repair), residential	M6 – Light Industrial - SE/438	4.6	Neighbourhoods
221 Gage Ave N	Retail	M6 – Light Industrial	0.4	Neighbourhoods
67 Lloyd St	Vacant	M6 – Light Industrial - SE/438	0.2	Neighbourhoods
39 – 63 Lloyd St	Residential	M6 – Light Industrial	0.45	Neighbourhoods
401 Parkdale Ave N	Commercial - industrial	M6 – Light Industrial	1.1	Arterial Commercial
300 Parkdale Ave N	Utilities – Hydro One	M6 – Light Industrial	0.1	Arterial Commercial
308 Parkdale Ave N	Warehousing	M6 – Light Industrial	0.1	Arterial Commercial
324 Parkdale Ave N	Commercial – Auto sales and rentals (Hyundai)	M6 – Light Industrial	0.8	Arterial Commercial
350 Parkdale Ave N	Commercial – Auto sales and rentals (Ford)	M6 – Light Industrial	2.0	Arterial Commercial
380 Parkdale Ave N	Commercial – Service/Auto Repair (Eastgate Collision)	M6 – Light Industrial	0.1	Arterial Commercial
1811 Barton St E	Commercial – Sales (Spar-Marathon Roofing)	M6 – Light Industrial	0.6	Arterial Commercial
1831 Barton St E	Commercial – Truck dealer	M6 – Light Industrial	1.0	Arterial Commercial
East Hamilton Industrial Area				

2255 Barton St E	Commercial – Plaza with restaurant, grocery	M6 – Light Industrial - SE/417	2.4	Arterial Commercial
2275 Barton St E	Industrial - U-Haul self-storage	M6 – Light Industrial	1.1	Arterial Commercial
2289 Barton St E	Commercial – Hall/ Sports Club, Ultimate Cycle	M6 – Light Industrial - SE/640	1.3	Arterial Commercial
2311 and 2333 Barton St E	Commercial – Car dealership (Toyota)	M6 – Light Industrial - SE/640	1.6	Arterial Commercial
2243 Barton St E	Industrial – (Fellfab)	M6 – Light Industrial	0.7	Arterial Commercial
2345 Barton St E	Commercial - Tint Boyz, M&R Automotive	M6 – Light Industrial	0.3	Arterial Commercial
305 & 307 Kenora Ave	Commercial – Billy Buff Auto Spa	M6 – Light Industrial	0.1	Arterial Commercial
311 Kenora Ave	Industrial - Hess Millwork	M6 – Light Industrial	0.2	Arterial Commercial
315 Kenora Ave	Industrial - Warehousing	M6 – Light Industrial	0.2	Arterial Commercial
310 Kenora Ave	Industry – Modern Training Ontario – Truck/Forklift	M6 – Light Industrial	0.3	Arterial Commercial
2371 Barton St E	Commercial (Food store – Lococo’s)	M6 – Light Industrial - SE/640	0.9	Arterial Commercial
2399 Barton St E	Industrial (Appears Vacant)	M6 – Light Industrial	1.8	Arterial Commercial
2493 Barton St E	Industrial – Speedy Glass, Mian Grocer, Young Kings Detailer, Krishna Sweets, Greco’s Auto Repair	M3 –Prestige Business Park	0.2	Mixed Use – High Density
Red Hill Business Park (North)				
1423 Upper Ottawa St	Commercial Plaza	M4 – Business Park Support	0.6	District Commercial
1439 Upper Ottawa St	Commercial Plaza	M4 – Business Park Support - SE/369	0.7	District Commercial
1447 and 1453 Upper Ottawa St	Commercial Plaza	M4 – Business Park Support	0.8	District Commercial

1475 Upper Ottawa St	Institutional/Commercial – Plaza Mall, McMaster Family Health Centre	M4 – Business Park Support	0.9	District Commercial
1515 Upper Ottawa St	Commercial Plaza	M4 – Business Park Support	0.3	District Commercial
1521-1527 Upper Ottawa St	Commercial Plaza	M4 – Business Park Support	0.9	District Commercial
1555 Upper Ottawa St	Commercial Plaza (Banquet Hall)	M4 – Business Park Support	1.4	District Commercial
Flamborough Business Park				
Portions 56 Parkside Drive, 90 and 96 Parkside Drive and 546 Hwy 6	Natural open space	P5 – Conservation / Hazard Lands	6.0	Open Space

Total Area Recommended for Conversion: 37.1 ha

11.2 SUMMARY OF RECOMMENDED CONVERSIONS FROM RESIDENTIAL ENCLAVES REVIEW (APPENDIX A)

In addition to the above, the following areas are recommended for conversion based on the analysis in Appendix A (Residential Enclaves Review):

Address	Existing Land Use	Zoning	Area (ha)	Recommendation
Margaret Enclave (320 – 352 Millen Rd, 318 – 352 Margaret Ave, 413 – 431 Barton St)	Residential	R1 – Single Residential, ND – Neighbourhood Development, GC – General Commercial	5.0	Neighbourhoods

Total Area Recommended for Conversion: 5.0 ha

11.3 SUMMARY OF RECOMMENDED CONVERSIONS FROM REQUEST FOR CONVERSIONS ANALYSIS (APPENDIX B)

In addition to the above, the following areas are recommended for conversion based on the analysis in Appendix B (Requests for Conversion):

Address	Existing Land Use	Zoning	Area (ha)	Recommendation
85 Division St & 77 – 79 Merchison Ave	Vacant	M6 – Light Industrial	0.5	Neighbourhoods (site specific policy)
166 – 180 Harmony Ave	Residential	M6 – Light Industrial	0.15	Neighbourhoods

Total Area Recommended for Conversion: 0.65 ha

11.4 TOTAL LAND AREA RECOMMENDED FOR CONVERSION

The total land area recommended for conversion through the 2019 Employment Land Review (including the Residential Enclaves Review and the Requests for Conversion) is **42.7 ha**. The recommended conversions recognize existing non-employment uses on the subject lands, or the redesignation of under-utilized parcels within the City’s older industrial areas. The redesignation of these lands will be implemented through a future Official Plan Amendment passed under Section 26 of the *Planning Act* as part of the Municipal Comprehensive Review.

RESIDENTIAL ENCLAVES REVIEW

**City of Hamilton
October, 2019**



RESIDENTIAL ENCLAVES REVIEW

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"Residential Enclaves Review"

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1.0 INTRODUCTION

Residential enclaves are distinct clusters of approximately ten or more residential dwellings located within Employment Areas in the City of Hamilton. Residential enclaves are designated "Employment Area" (Industrial Land or Business Park) on Schedule E-1 – Urban land Use Designations of Volume 1 of the Urban Hamilton Official Plan (UHOP). The enclaves are not consistently zoned, both across and within Employment Areas in the City. In some circumstances, zoning is not consistent among parcels within an enclave. The majority of residential enclaves in Hamilton are located in the Bayfront Industrial Area and the Stoney Creek Business Park.

The proximity of residential enclaves to active industrial land uses has historically caused incompatibility issues. Various studies throughout the 1970s to the 1990s were completed to address the environmental and social challenges experienced by residents living in residential enclaves. The studies identified residents' interest in remaining in the enclave and determining the most appropriate ultimate land use. Many of the recommendations that emerged from these studies have been implemented; however, there are several residential enclaves that require additional attention to understand the existing context and to comprehensively assess the zoning framework. The purpose of this report is to:

- outline the history of residential enclaves in the City of Hamilton;
- identify the current status of residential enclaves and their evolution over time in terms of the policy framework, regulatory/zoning framework, and actual land use; and,
- identify any policy or zoning changes that are required to create a consistent approach to planning for residential enclaves located in different Employment Areas in the City.

Residential enclaves that are still in existence (i.e. designated Employment Area on Schedule E-1) and will be reviewed through this analysis are identified in Table 1.

Table 1 – Residential Enclaves under review in this Analysis

Employment Area	Residential Enclave	Area of Enclave (Ha)
Bayfront Industrial Area	Land	9.25
	Leeds	0.9
	Alpha East	1.09
	Biggar	0.42
	Rowanwood	13.84

Stoney Creek Business Park	Stapleton	1.07
	Beatty	0.93
	Margaret	5.01
	Barton	2.97
	Cornell	2.10
	McNeilly	2.60
	Winona	5.39

This review is being conducted as part of the City’s Municipal Comprehensive Review (MCR) Employment Land Review. It is appropriate to review the enclaves at this time because any conversions of designated employment land to a non-employment designation can only occur through the MCR. Therefore, should any recommendations for re-designation arise from this review, the implementation would need to occur through the MCR.

This review is focussed on the residential enclaves in the former City of Hamilton (Bayfront Industrial Area) and City of Stoney Creek (Stoney Creek Business Park) which have been identified and previously reviewed under studies by the former municipalities. The review will consider updates to the existing planning permission for those lands. This review is not considering existing legal non-conforming single detached dwellings located in the City’s other Business Parks, which either do not meet the definition of an enclave (10 or more contiguous dwellings) or are located in undeveloped areas of the Business Park which are anticipated to develop with employment uses in the future. Those dwellings will retain their legal-non conforming status for as long at the use continues.

1.1 BACKGROUND ON RESIDENTIAL ENCLAVES IN FORMER CITY OF HAMILTON

Residential enclaves in the City of Hamilton are located in the Bayfront Industrial Area (Bayfront). The following reports were produced in the 1970s and 1990s to address issues with residential enclaves:

Review of the Residential Enclaves, 1977

This report addressed residential enclaves in the Bayfront. Ten distinct residential enclaves were studied. Residents in these enclaves experienced disturbance from adjacent industry as well as uncertainty about future land use.

- All enclaves except McAnulty were designated Industrial in the Official Plan in 1951 and zoned for heavy industry since 1950. McAnulty was originally designated Residential with Commercial on the perimeter, but was later redesignated to Industrial in the 1969 Official Plan. The zoning for McAnulty at the time of this report in 1977 was Residential, reflecting the designation prior to the 1969 Official Plan.
- The report surveyed residents in the enclaves and evaluated two alternatives – to clear housing in the area, or to retain and improve housing.
- Enclaves were independently evaluated on the basis of public attitude (desire to remain in area), standard of environment, standard of housing, availability of services, and size of area.
- Recommendations from the 1977 study were as follows:
 - Biggar, Stapleton, Leeds, Alpha, and Keith Pockets (2) should be cleared for industry;
 - Keith and Monroe should undergo a Neighbourhood Plan process to plan for a mix of industrial and residential uses (note: Neighbourhood Plan was completed and area designated Residential in City's 1982 Official Plan. Zoning had been changed to residential in 1979);
 - McAnulty should be redesignated to Residential, with consideration for buffering from industrial uses by including commercial and open space uses (note: area was redesignated to Residential in 1978); and,
 - Rowanwood, Land, and Beatty should be re-evaluated in two years' time.

Residential Enclaves Study, 1992

The Regional Municipality of Hamilton-Wentworth brought forward a discussion paper in 1992 that re-evaluated future land use in residential enclaves and re-assessed the merits of the City's program of purchasing residential lands and selling them for industry. This study evaluated Alpha East, Beatty, Biggar, Land, Leeds, Rowanwood, and Stapleton enclaves. The highlights of the study are as follows:

- Residential development was gradually being eroded by industrial and commercial uses in the enclaves;
- The revenue realized from the sale of lands for industrial purposes was poor relative to the cost to purchase the residential land;
- Most residents within the smaller enclaves, with the exception of Leeds and Biggar, wished to leave the area.

The 1992 report identified a number of options for consideration, ranging from no change, to a recognition of all enclaves as Residential. There were no policy or zoning changes taken as a result of this report.

1.2 BACKGROUND ON RESIDENTIAL ENCLAVES IN FORMER CITY OF STONEY CREEK

There are five residential enclaves in the Stoney Creek Industrial Business Park, which were reviewed through the following report in 1990:

Residential Enclaves, 1990

The purpose of this study was to identify the ultimate land use of existing residential uses within the Stoney Creek Industrial Business Park. Most residents felt that there were issues with excessive noise, traffic, smoke, and dust. The recommendations from the study were as follows:

- Margaret Enclave and a portion of the McNeilly Enclave south of the Arvin Avenue extension and east of McNeilly Road should be recognized as residential areas; and,
- Cornell, Barton, and Winona enclaves should maintain their designation as Industrial Business Park.

In November 1992 (further amended in 1993), the City of Stoney Creek passed Official Plan Amendment No. 45 to the City of Stoney Creek Official Plan (OP) which recognized the existing residential enclaves at Margaret Avenue and the east side of McNeilly Road, but maintained the Industrial - Business Park designation on the lands. The accompanying staff report noted that the proposed Stoney Creek Comprehensive Zoning By-law was placing a residential zone on these enclaves to implement the recommendations of the 1990 study. The Report further stated that an amendment to the OP was necessary to ensure the Zoning By-law conformed, but that staff were not recommending a redesignation of the enclaves to Residential in the OP. Instead, the Report noted that it was more appropriate to describe the location of the enclaves generally within the Business Park designation, and when an Industrial Area Secondary Plan and Neighbourhood Plan was prepared in the future, the enclaves would be clearly identified and appropriate policies developed. No such Secondary Plan was ever developed for these lands.

The Urban Hamilton Official Plan (UHOP) came into force and effect in August, 2013. The UHOP carried forward land use designations from the former City of Hamilton Official Plan and City of Stoney Creek Official Plan. The majority of the lands within the residential enclaves were re-zoned to an industrial zone (some with a special exception as described below) in the City of Hamilton Zoning By-law 05-200 in 2010 with the introduction of the new industrial zones. However, lands within the Margaret enclave and a portion of the McNeilly enclave maintain the residential and commercial zoning of the former City of Stoney Creek Zoning By-law.

1.3 EXISTING CONTEXT OF RESIDENTIAL ENCLAVES

At present, there are still land use incompatibility issues between residential enclaves and adjacent industrial uses. In addition, some enclaves have been recognized in the Zoning By-law with a Special Exception (SE), while some others have not. SE 375 in Zoning By-law 05-200 identifies an existing dwelling and expansion to the existing dwelling as permitted, subject to additional regulations. SE 727 of Zoning By-law 6593 was the precursor to SE 375, and contained the same permissions and regulations as SE 375. Table 2 identifies existing land uses and zoning for all residential enclaves in the Bayfront Industrial Area and Stoney Creek Industrial Business Park.

Table 2 – Zoning and Land Uses by Percent Total Area for Existing Residential Enclaves in the Bayfront Industrial Area and Stoney Creek Industrial Business Park

Enclave	Total Area (Ha)	Percent of Area Residential Land Use (%)	Percent of Area Industrial Land Use (%)	UHOP Designation	Zoning
Bayfront Industrial Area					
Land	9.25	51	26	Industrial Land	M5 – General Industrial M5 – General Industrial – Special Exception 375 M6 – Light Industrial – Special Exception 375
Leeds	0.9	46	33	Industrial Land	M5 – General Industrial
Alpha East	1.09	28	31	Industrial Land	M5 – General Industrial
Biggar	0.42	83	17	Industrial Land	M5 – General Industrial
Rowanwood	13.84	57	23	Industrial Land	M5 – General Industrial M5 – General Industrial – Special Exception 375 M6 – Light Industrial – Special Exception 375
Stapleton	1.07	17	49	Industrial Land	M6 – Light Industrial
Beatty	0.93	76	9	Industrial Land	M6 – Light Industrial – Special Exception 375
Stoney Creek Business Park					
Margaret	5.01	94	0	Business Park	R1 – Single Residential - One ND – Neighbourhood Development GC – General Commercial – Special Exception 28
Barton	2.96	70	7	Business Park	M3 – Prestige Business Park

					M3 – Prestige Business Park – Special Exception 423
Cornell	2.11	77	10	Business Park	M3 – Prestige Business Park
McNeilly	2.61	93	0	Business Park	R1 – Residential M3 – Prestige Business Park
Winona	5.4	51	10	Business Park	M3 – Prestige Business Park

Special Exception (SE) 375 is applied to residential uses in the Land, Rowanwood and Beatty enclaves. The purpose of the SE is to permit the legally existing residential uses on the subject lands, and to establish specific regulations (setbacks etc.) which would apply to any future additions or modifications. The text of the SE is as follows:

“375. Within the lands zoned General Industrial (M5) Zone and Light Industrial (M6) Zone, identified on Maps 829, 870, 871, 912, 913, 914, 915, 956, 957, 958, 959, 1147, 1198, 1199 of Schedule “A” – Zoning Maps and described as:

(many addresses listed)

The following special provisions shall apply:

- a) In addition to Subsections 9.5.1 and 9.6.1, and notwithstanding Subsections 9.5.2 and 9.6.2 ii), the legally established residential uses existing on the date of passing of this By-law (May 26, 2010) shall also be permitted.*
- b) Notwithstanding Subsections 9.5.3 and 9.6.3, the following regulations shall apply to the use permitted in Clause a):*

- i) Minimum Front Yard 6.0 metres*
- ii) Maximum Building Height 14.0 metres*
- iii) Minimum Side Yard 0.6 metres*
- iv) Minimum Rear Yard 7.5 metres*
- v) Accessory buildings shall be subject to Subsection 4.8.1”*

The Vacuum Clause (4.12(c)) of the General Provisions of Zoning By-law 05-200 applies to the lands within the Industrial zones and provides that any lot and building existing on the effective date of the Zoning By-law would be deemed to comply with the regulations of the By-law respecting setbacks, height and lot area and width.

In addition, Section 1.11 of Zoning By-law 05-200 addresses Legal Non-Conforming Uses. Section 1.11(d) permits swimming pools, hot tubs and accessory buildings, and section 1.11(e) permits the addition of a porch, deck, balcony, fire escape or open stairs, on a lot containing an existing legal non-conforming single detached or duplex dwelling, all without the requirement to amend the Zoning By-law.

A detailed review of each residential enclave, including land use breakdown, change in land use since the completion of the 1990 and 1992 studies, and existing zoning, will follow.

2.0 RESIDENTIAL ENCLAVES IN HAMILTON BAYFRONT INDUSTRIAL AREA

2.1 LAND

The Land residential enclave is one of the larger enclaves in the Bayfront, and is located in the general area of Burlington Street East and Wentworth Street North. The predominant land use in the area is still residential, with 50 percent of the area having a residential land use.

Table 3 - Land Use Breakdown in Land Residential Enclave

	Existing			1992
	Number of Parcels	Total Area (Ha)	Percentage of Area (%)	Percentage of Area (%)
Commercial	15	1.13	12%	11.4%
Industrial	21	2.4	26%	22.5%
Office	2	0.12	1%	
Residential	178	4.69	51%	58.7%
Vacant Land	19	0.91	10%	7.4%
Grand Total	235	9.25	100%	100%

Since 1992, the percentage of residential land area has decreased, while the percentage of industrial and vacant land area have both increased marginally.

Figure 1 - Land Use in Land Residential Enclave



The existing zoning within the Land residential enclave is M5 (General Industrial), M5 (General Industrial) – Special Exception (SE) 375, and M6 (Light Industrial) – SE 375. Previous to the adoption of Zoning By-law 05-200, the zoning in this residential enclave was K (Heavy Industrial) – SE 727. SE 375 recognizes the existing dwellings and allows for some expansion. The zoning from the previous zoning by-law has been brought forward in the new zoning by-law, with the exception of the area bounded by Burlington Street East, Wentworth Street North, Oliver Street, and Wilfred Street. This area of the enclave was not zoned with SE 375.

Figure 2 - Zoning in Land Residential Enclave

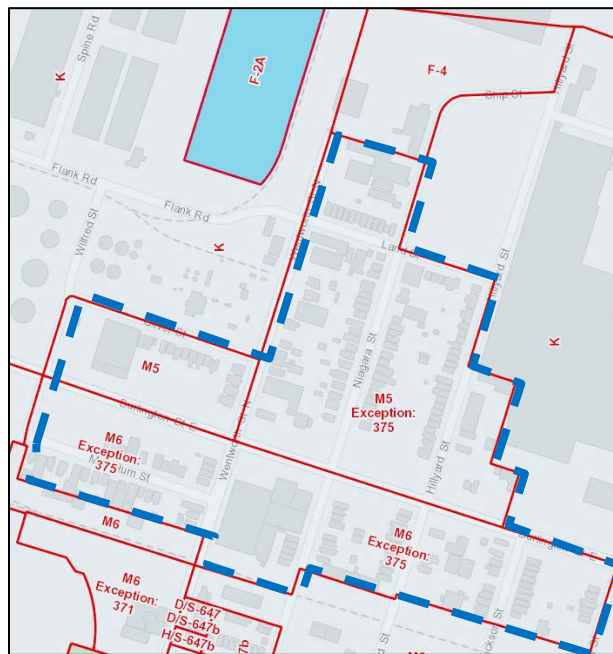


Figure 3 - Lands without Special Exception in Land Residential Enclave



2.2 LEEDS

The Leeds residential enclave is located in the general area of Burlington Street East and Gage Avenue North. The predominant land use in the area is still residential, with 46 percent of the area having residential land uses. More than 20 percent of the land area is vacant.

Table 4 – Existing Land Use Breakdown in Leeds Residential Enclave

	Existing			1992
	Number of Parcels	Total Area (Ha)	Percentage of Area (%)	Percentage of Area (%)
Commercial	1	0	0%	1.6%
Industrial	5	0.3	33%	35.8%
Residential	20	0.41	46%	43.1%
Vacant Land	3	0.19	21%	19.5%
Total	29	0.9	100%	100%

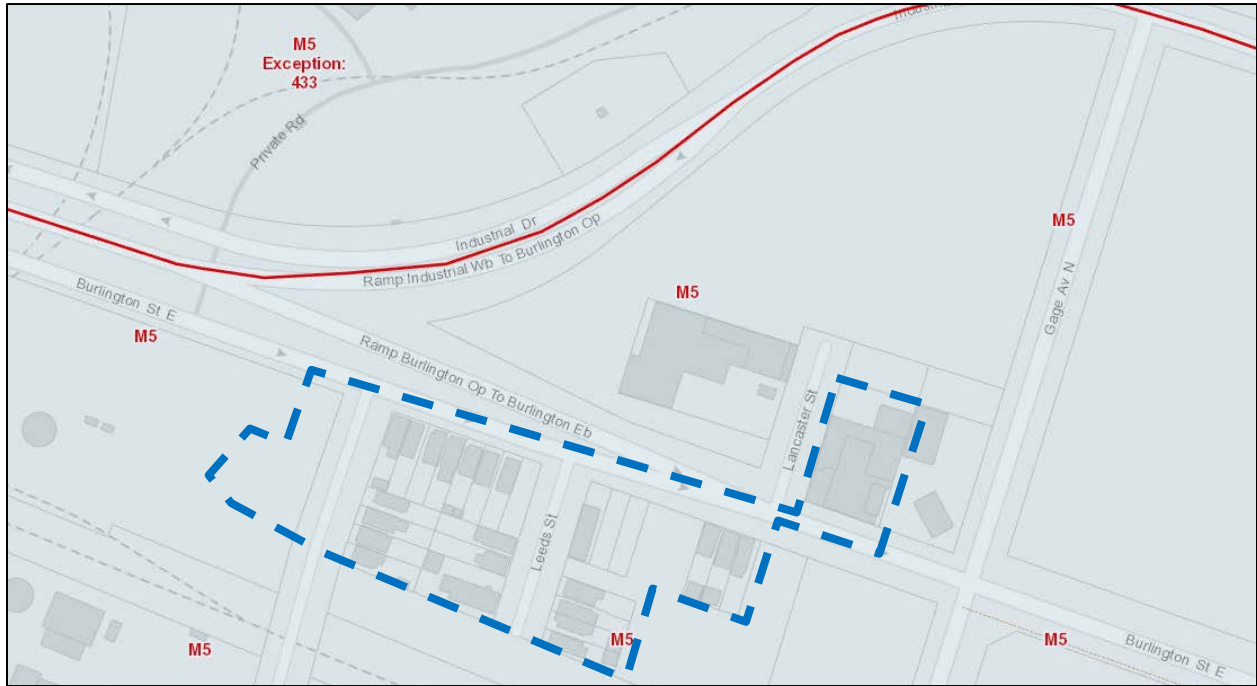
Since 1992, the amount of lands in residential use has marginally increased, while the industrial land has seen a slight decline in area.

Figure 4 – Land Use in Leeds Residential Enclave



The zoning applicable to the lands in Leeds is the M5 – General Industrial zone. Previous zoning under Zoning By-law 6593 was K (Heavy Industrial). There is no special exception applied in this area to recognize the existing dwellings.

Figure 5 - Zoning in Leeds Residential Enclave



2.3 ALPHA EAST

Alpha East is generally located in the area of Burlington Street East and Sherman Avenue North. The predominant land use in the area is industrial. Residential land uses have declined over time, and at present there are only 9 residential parcels in total, and only 5 of those are located adjacent to each other. The existing land use for the area is as follows:

Table 5 – Land Use Breakdown in Alpha East Residential Enclave

	Existing			1992
	Number of Parcels	Total Area (Ha)	Percentage of Area (%)	Percentage of Area(%)
Commercial	3	0.29	27%	35.7%
Industrial	6	0.34	31%	31.0%
Residential	9	0.3	28%	33.3%
Vacant Land	5	0.16	15%	0
Grand Total	23	1.09	100%	100%

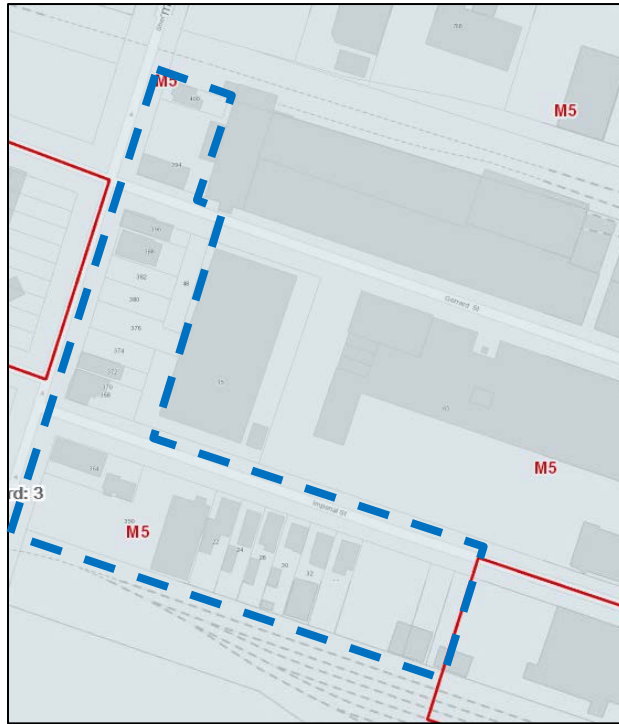
The industrial usage of land in Alpha East has remained stable over the time period. Residential usage has declined slightly. The greatest change is an increase in vacant lands.

Figure 6 – Land Use in Alpha East Residential Enclave



This area is zoned M5 – General Industrial. Previous zoning under Zoning By-law 6593 was K (Heavy Industrial). There is no special exception applied in this area to recognize the existing dwellings.

Figure 7 – Zoning in Alpha East Residential Enclave



2.4 BIGGAR

Biggar residential enclave is located in the general area of Sherman Avenue North and Biggar Avenue. The predominant land use in the area is residential, with 83% of the area having residential land uses, though there has been an introduction of industrial land uses, as noted below. The enclave is surrounded by large industrial parcels and is isolated within the core of the industrial area.

Table 6 – Land Use Breakdown in Biggar Residential Enclave

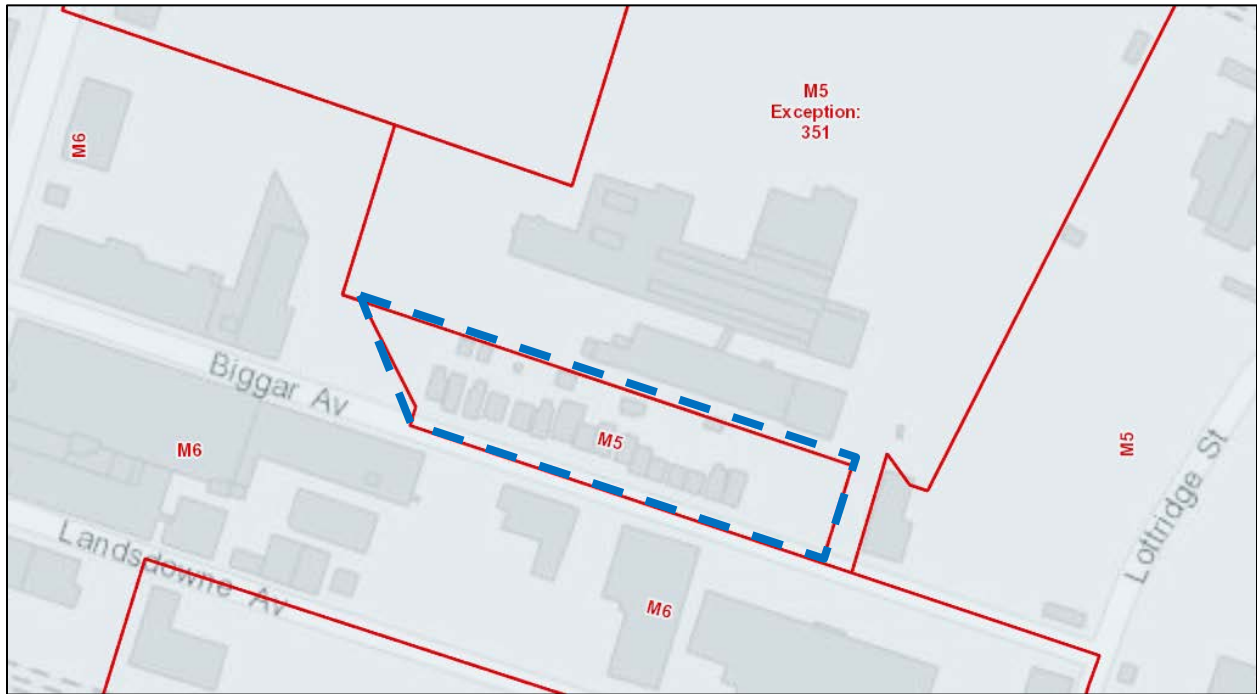
	Existing			1992
	Number of Parcels	Total Area (Ha)	Percentage of Area (%)	Percentage of Area (%)
Industrial	3	0.07	17%	0%
Residential	16	0.35	83%	100%
Total	19	0.42	100%	100%

Figure 8 – Land Use in Biggar Residential Enclave



This area is zoned M5 – General Industrial. Previous zoning under Zoning By-law 6593 was K (Heavy Industrial). There is no special exception applied in this area to recognize the existing dwellings.

Figure 9 – Zoning in Biggar Residential Enclave



2.5 ROWANWOOD

The Rowanwood enclave is located in the general area of Gage Avenue North and Beach Road and is the largest enclave in the Bayfront. The predominant land use in this enclave is residential, with 57 percent of the area having residential land uses.

Table 7 – Land Use Breakdown in Rowanwood Residential Enclave

	Existing			1992
	Number of Parcels	Total Area (Ha)	Percentage of Area (%)	Percentage of Area (%)
Commercial	30	2.52	18%	5.9%
Industrial	22	3.17	23%	30.7%
Institutional	1	0.02	0%	1.4%
Office	2	0.07	1%	0%
Residential	314	7.84	57%	58.0%
Transportation and Utility	3	0	0%	0%
Vacant Land	5	0.22	2%	4.0%
Total	378	13.84	100%	

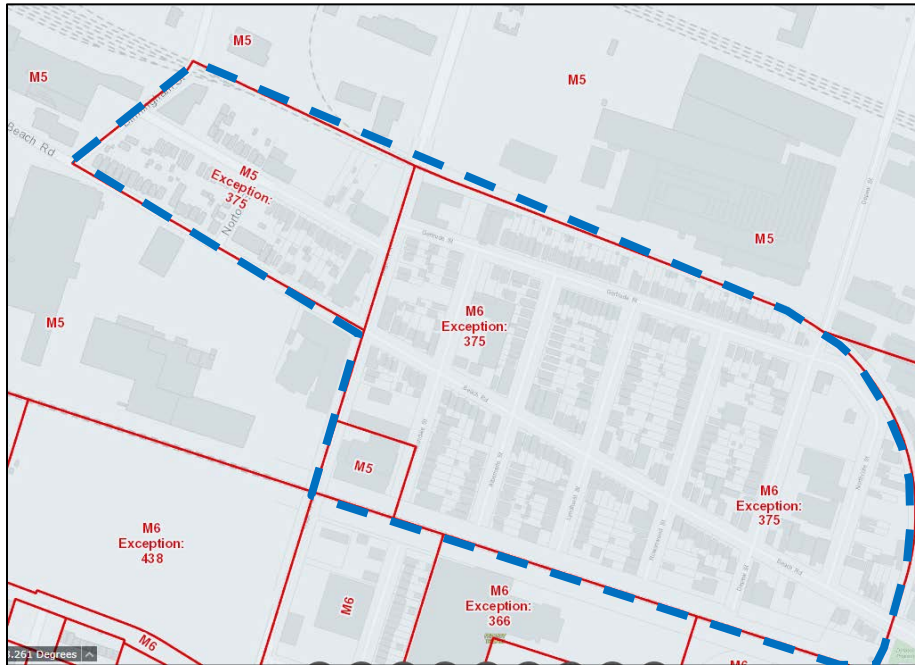
While the residential land area in Rowanwood has stayed consistent since 1992, there has been a decrease in the industrial land area, and an increase in commercial lands.

Figure 10 – Land Use in Rowanwood Residential Enclave



Parcels in this area have zoning that includes M5 (General Industrial), M5 (General Industrial) – Special Exception (SE) 375, and M6 (Light Industrial) – SE 375. SE 375 recognizes the existing dwellings and allows for some expansion. The previous zoning for this area under Zoning By-law 6593 was K (Heavy Industrial) – SE 727.

Figure 11 – Zoning in Rowanwood Residential Enclave



2.6 STAPLETON

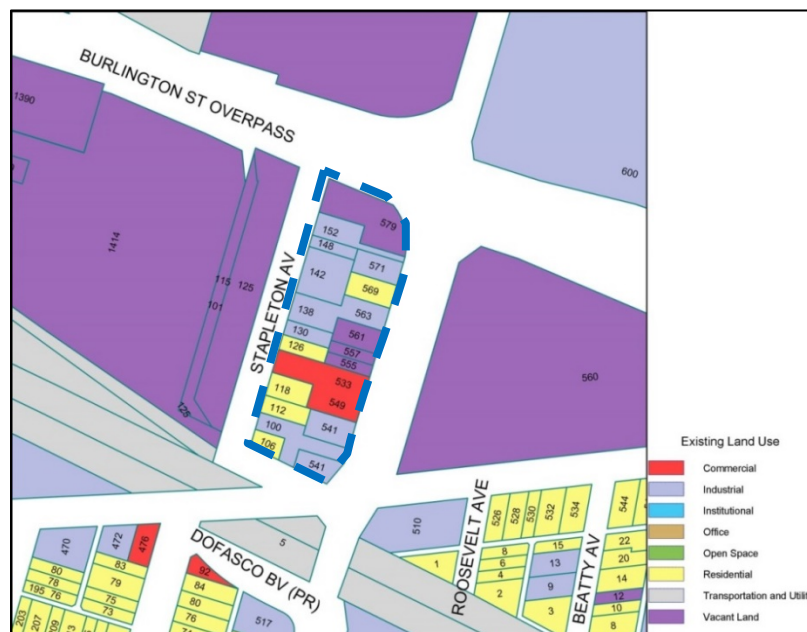
Stapleton is located in the general area of Burlington Street East and Stapleton Avenue. The predominant land use in the area is industrial, which accounts for 49 percent of the total area. The existing land use is as follows:

Table 8 – Land Use Breakdown in Stapleton Residential Enclave

	Existing			1992
	Number of Parcels	Total Area (Ha)	Percentage of Area (%)	Percentage of Area (%)
Commercial	1	0.14	13%	0
Industrial	9	0.52	49%	28.4%
Residential	5	0.18	17%	34.3%
Vacant Land	4	0.23	21%	22.6%
Institutional Land	0	0	0	14.7%
Grand Total	19	1.07	100%	

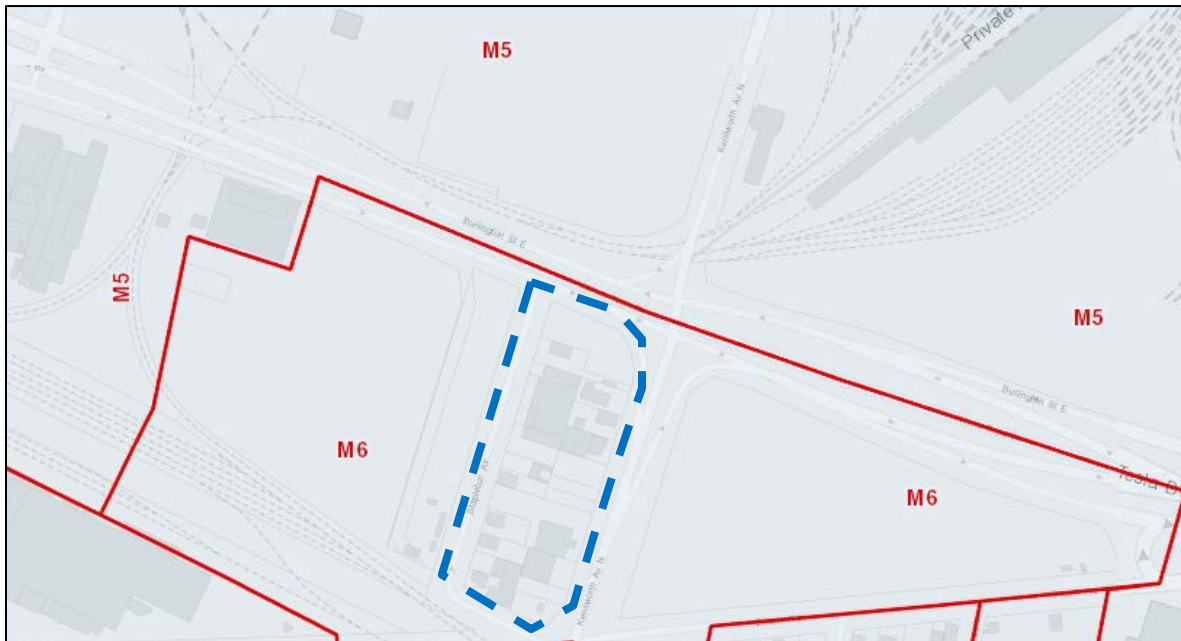
There has been a significant shift in land use in Stapleton since 1992. Industrial land use has increased from 28% to 49%, while residential land area has seen a decline from 34% to 17%. An institutional use has ceased and a commercial use has been added.

Figure 12 – Land use in Stapleton Residential Enclave



The zoning in this enclave is M6 (Light Industrial). The previous zoning under Zoning By-law 6593 was K – Heavy Industrial. There is no special exception applied in this area to recognize the existing dwellings.

Figure 13 – Zoning in Stapleton Residential Enclave



2.7 BEATTY

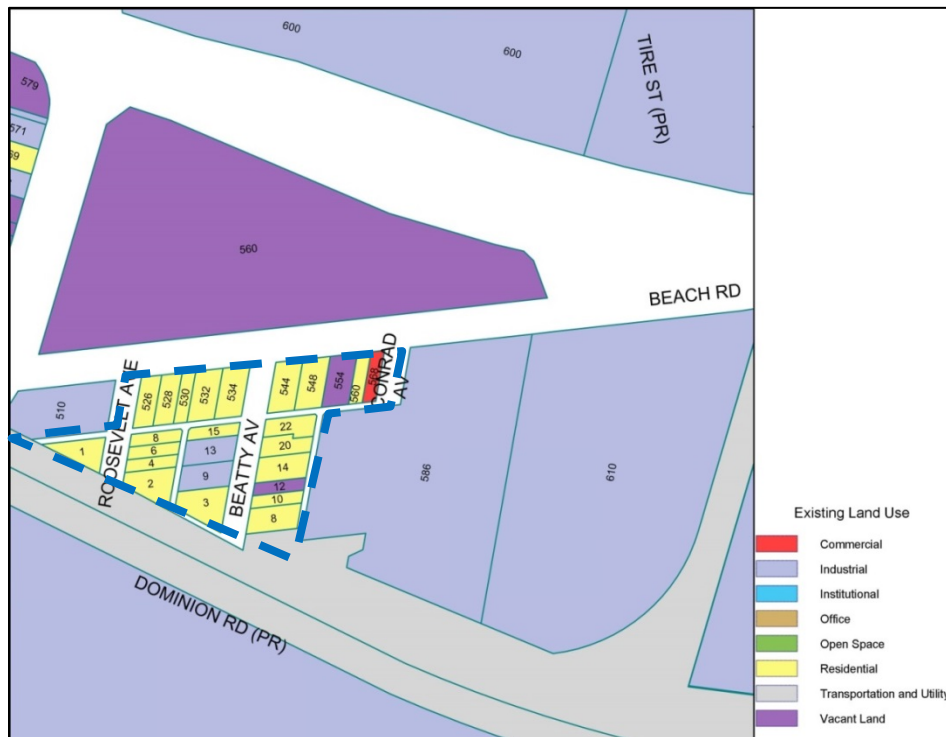
The Beatty residential enclave is located in the general area of Burlington Street East and Beach Road. The predominant land use in this area is residential, with 76 percent of the total area having residential land uses. The existing land uses are as follows:

Table 9 – Land Use Breakdown in Beatty Residential Enclave

	Existing			1992
	Number of Parcels	Total Area (Ha)	Percentage of Area (%)	Percentage of Area (%)
Commercial	1	0.02	2%	0
Industrial	2	0.08	9%	4.4%
Residential	20	0.71	76%	93.4%
Transportation and Utility	1	0.05	5%	0
Vacant Land	2	0.07	8%	2.2%
Grand Total	26	0.93	100%	100%

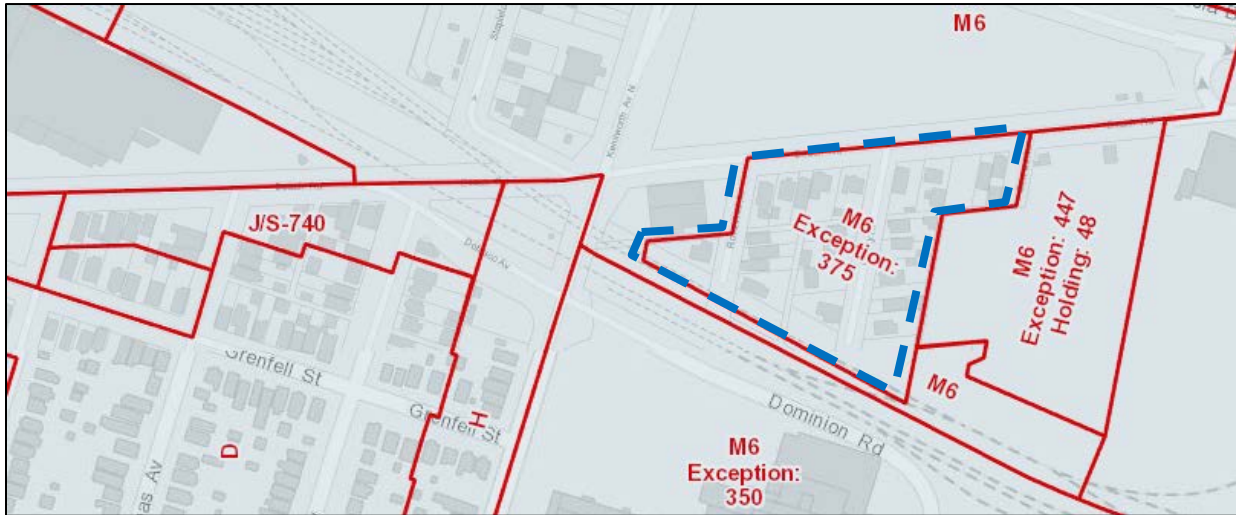
There has been some decrease in residential land area since 1992, and a small increase in industrial land area, but change has been relatively minor.

Figure 14 – Land Use in Beatty Residential Enclave



The zoning for parcels in this area is M6 (Light Industrial) – Special Exception (SE) 375. The previous zoning in this enclave was K (Heavy Industrial) – SE 727. The SE recognizes the residential dwellings and allows for some expansion.

Figure 15 – Zoning in Beatty Residential Enclave



3.0 RESIDENTIAL ENCLAVES IN STONEY CREEK BUSINESS PARK

3.1 MARGARET ENCLAVE

Margaret enclave is located at the northeast corner of Millen Road and Barton Street. The predominant land use in this enclave is residential. Land use in this enclave has been consistent over time. The 1990 study identified that the housing stock in this enclave were in good form and dwellings face each other along a local road, creating a sense of residential environment. The recommendation in 1990 was to recognize and include provisions to protect this residential area in the Secondary Plan for the Industrial Business Park and in the implementing Zoning By-law.

Table 10 – Land Use Breakdown in Margaret Residential Enclave

	Existing			1990
	Number of Parcels	Total Area (Ha)	Percentage of Area (%)	Percentage of Area (%)
Commercial	2	0.29	6%	6%
Industrial	0	0	0	0%
Residential	43	0.71	94%	94%
Transportation and Utility	0	4.72	0	0
Vacant Land	0	0	0	0%
Grand Total	45	5.01	100%	100%

Figure 16 – Land Use in Margaret Residential Enclave

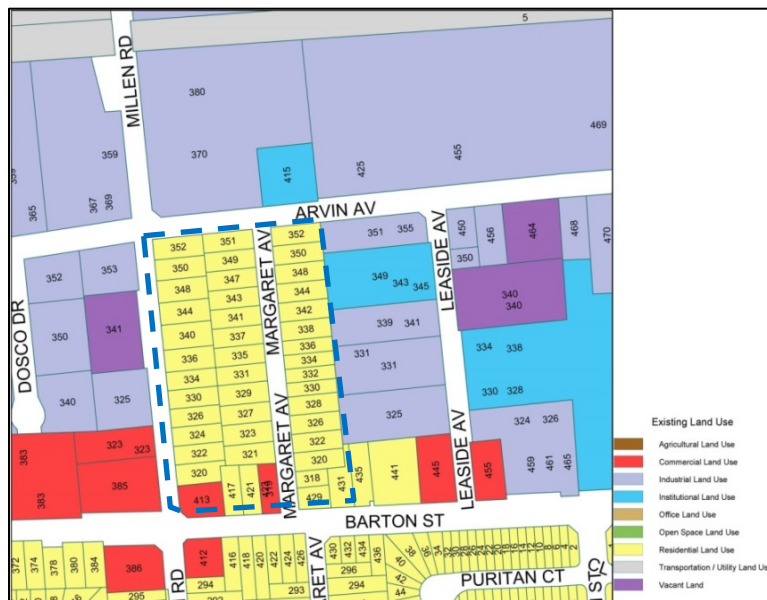


Figure 17 – Zoning in Margaret Residential Enclave



The zoning applicable to lands in the Margaret enclave include the R1 (Single Residential-One) Zone, the ND (Neighbourhood Development) Zone and the GC-28 (General Commercial) Zone in the City of Stoney Creek Zoning By-law.

3.2 BARTON ENCLAVE

The Barton enclave is located on the north side of Barton Street between Fruitland Road and Kenmore Avenue. The previous 1990 Residential Enclave study identified that there were 18 dwellings within the enclave, but several other dwellings in the area that were not considered as part of the enclave because they were not zoned residential and there was significant industry surrounding them. The study also identified recent redevelopment of a site in the enclave to commercial/industrial that divided the enclave into two, which could influence redevelopment of other parcels. The proximity to the Fruitland Road highway interchange and the location on an arterial road could also provide incentive for industrial redevelopment. The recommendation of the 1990 study was to leave these parcels as non-conforming uses in the Stoney Creek Official Plan.

Table 11 – Land Use Breakdown in Barton Residential Enclave

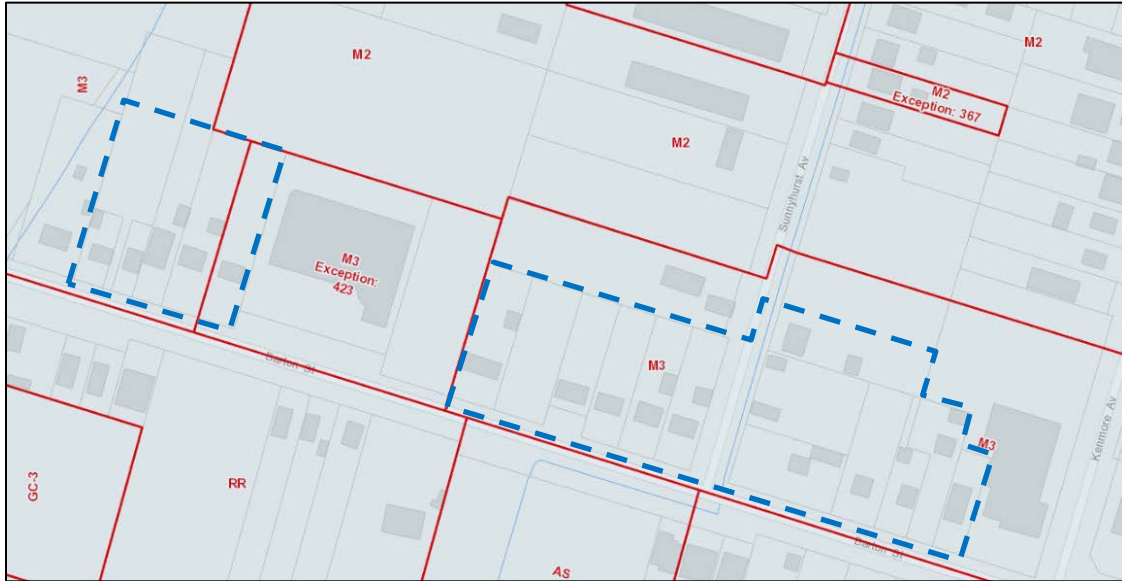
	Existing			1990
	Number of Parcels	Total Area (Ha)	Percentage of Area (%)	Percentage of Area (%)
Office	1	0.2	7%	7%
Residential	16	2.07	70%	93%
Vacant Land	3	0.69	23%	0
Grand Total	20	2.96	100%	100%

Of the residential parcels that were included in the enclave study area, three are now vacant (673, 695, 701 Barton St). The use of the remainder of the parcels has not changed.

Figure 18 – Land Uses in Barton Residential Enclave



Figure 19 – Zoning in Barton Residential Enclave



The residential parcels in this area are zoned M3 (Prestige Business Park) Zone. There is no site specific zoning to recognize the residential uses.

3.3 CORNELL ENCLAVE

The Cornell enclave is located at the northeast corner of Barton Street and Jones Road around Cornell Avenue. The existing land use is similar to the land use at the time of the previous 1990 Residential Enclave study. The previous study identified land use conflicts with existing industrial/commercial uses within and surrounding the enclave area. Some of the parcels have lots with frontages on Barton Street rather than Cornell Avenue, which detracts from the sense of neighbourhood in the enclave. The recommendation from the previous study was to leave these parcels as non-conforming uses in the Stoney Creek Official Plan.

Table 10 – Land Use Breakdown in Cornell Residential Enclave

	Existing			1990
	Number of Parcels	Total Area (Ha)	Percentage of Area (%)	Percentage of Area (%)
Commercial	1	0.17	8%	0
Industrial	2	0.22	10%	13%
Residential	12	1.62	77%	82%
Vacant Land	1	0.1	5%	5%
Grand Total	16	2.11	100%	100%

Figure 20 – Land Uses in Cornell Residential Enclave

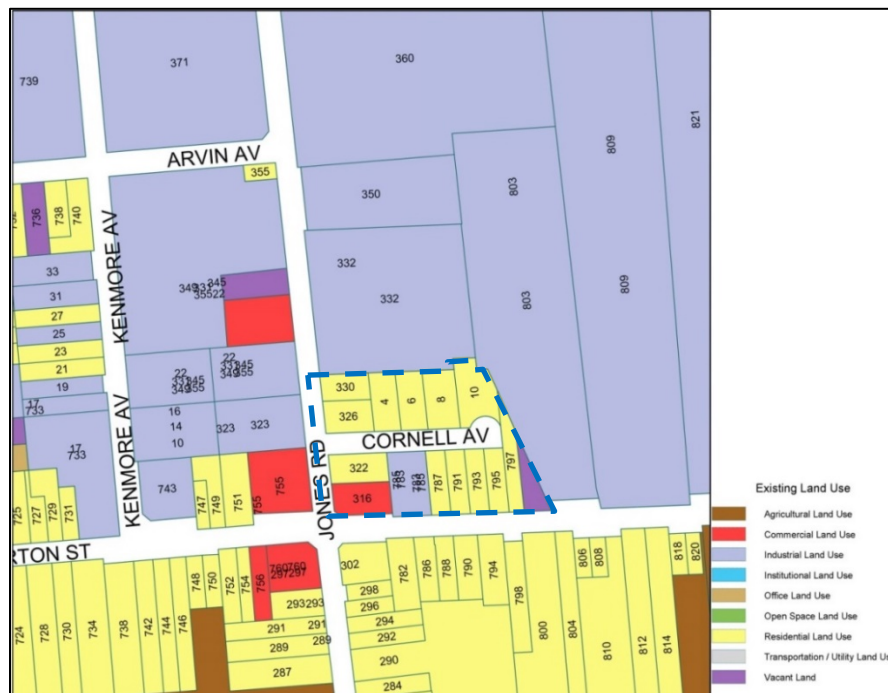
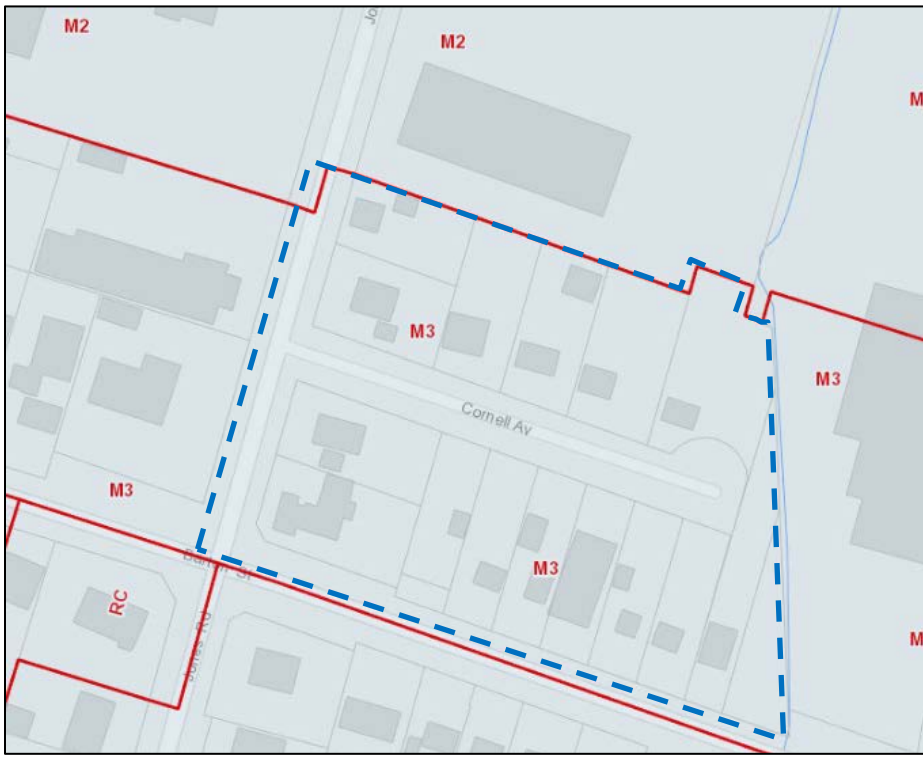


Figure 21 – Zoning in Cornell Residential Enclave



The residential parcels in this enclave are zoned M3 (Prestige Business Park) Zone. There is no site specific zone to recognize the existing dwellings.

3.4 MCNEILLY ENCLAVE

The McNeilly Enclave is located along McNeilly Road between Barton Street and the C.N.R. mainline. The existing land use appears to be similar to the land use that existing at the time of the Residential Enclave study. The previous study identified that there was a potential road extension of Arvin Road that would bisect the enclave on the eastern side. Since the homes to the south of the road extension and east of McNeilly Road were in good condition and relatively undisturbed by industry, in 1990 it was recommended that those parcels remain residential.

Table 11 – Land Use Breakdown in McNeilly Residential Enclave

	Existing			1990
	Number of Parcels	Total Area (Ha)	Percentage of Area (%)	Percentage of Area (%)
Industrial	0	0	0	7%
Residential	16	2.43	93%	90%
Vacant Land	2	0.17	7%	3%
Grand Total	18	2.6	100%	100%

Since 1990, land use by area in the McNeilly enclave has been fairly stable. One property that was industrial has been converted to residential, and one previously residential property is now vacant.

Figure 22 – Land Uses in McNeilly Residential Enclave



Figure 23 – Zoning in McNeilly Residential Enclave



The zoning for the parcels on the east side of McNeilly Road, south of the Arvin Avenue extension, is R1 (Residential) Zone, while the remainder of the parcels are zoned M3 (Prestige Business Park) Zone. This is consistent with the recommendations of the 1990 Study.

3.5 WINONA ENCLAVE

The Winona Enclave is located at the eastern boundary of the Business Park, south of the South Service Road, and is bounded by Winona Road, Victoria Avenue, and Oriole Road. At the time of the previous study, the majority of the parcels were zoned residential. Due to the location, lack of facilities, varied state of housing, and mix of uses in the area, the previous study recommended that the parcels stay as non-conforming uses in the Stoney Creek Official Plan, while also creating policy and zoning provisions that promote land assembly and industrial redevelopment for the parcels.

Table 12 – Land Use Breakdown in Winona Residential Enclave

	Existing			1990
	Number of Parcels	Total Area (Ha)	Percentage of Area (%)	Percentage of Area (%)
Commercial	1	0.17	3%	0
Industrial	1	0.56	10%	18%
Residential	14	2.75	51%	64%
Transportation and Utility	1	0.4	7%	0
Vacant Land	4	1.52	28%	18%
Grand Total		5.4	100%	100%

Since the completion of the 1990 Study, the land area in residential and industrial use has decreased, and more land is now either vacant or used for utility purposes.

Figure 23 – Land Uses in Winona Residential Enclave

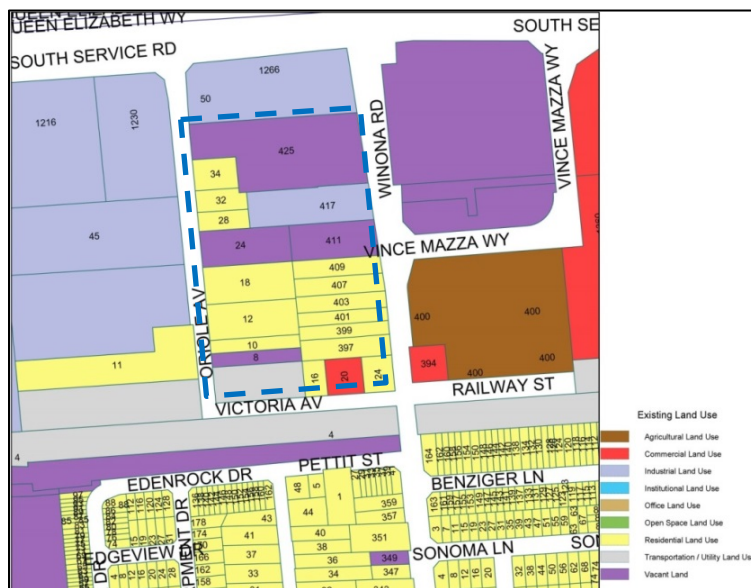


Figure 24 – Zoning in Winona Residential Enclave



All parcels in this enclave are zoned M3 (Prestige Business Park) Zone, with no site specific to recognize the existing residential uses.

4.0 ANALYSIS AND RECOMMENDATIONS

This review of the residential enclaves in Hamilton and Stoney Creek has identified some change in the composition of the enclaves over the past 25 to 30 years, but the residential uses within the enclaves nonetheless remain, and the enclaves have not disappeared or converted entirely to industrial uses. Some enclaves have experienced more change than others. Further, different planning permissions currently apply to different enclaves (eg. three enclaves contain site specific industrial zoning while the majority do not; two enclaves are zoned residential).

4.1 DEFINITION OF AN ENCLAVE

In considering the appropriate land use designation and zoning for the enclaves going forward, the first question staff considered was "is the area still meeting the definition of a residential enclave"? Three criteria were evaluated to determine if the enclave was still in existence:

- Do residential uses continue to form the majority land use in the enclave?
- Has the percentage of residential land uses in the enclave remained fairly stable over time?
- Does the enclave contain a grouping of at least 10 or more contiguous residential parcels (consistent with previous criteria utilized in 1990 Stoney Creek study)?

If one of the above three criteria were not satisfied, the area was deemed to no longer meet the definition of an enclave. Table 13 below summarizes the performance of each enclave against the criteria.

Table 13 – Comparison of enclaves to criteria

Enclave	Zoning	Is residential the majority land use?	Have residential uses remained stable over time?	10 + contiguous residential parcels?
Land	M5 & M6, SE 375	✓	✓	✓
Leeds	M5	✓	✓	✓
Alpha East	M5	X	✓	X
Biggar	M5	✓	✓	✓
Rowanwood	M5 & M6, SE 375	✓	✓	✓

Stapleton	M6	X	X	X
Beatty	M6, SE 375	✓	✓	✓
Margaret	R1, ND	✓	✓	✓
Barton	M3	✓	X	✓
Cornell	M3	✓	✓	✓
McNeilly	R1, M3	✓	✓	✓
Winona	M3	✓	✓	✓

Based on the above, Alpha East, Stapleton and Barton enclaves are no longer meeting the definition of a residential enclave due to change in land use composition over time. The residential uses still existing in these enclaves are currently zoned industrial (M3, M5 or M6) and are considered legal non-conforming provided they were legally established under previous zoning.

Recommendation: no change to planning permissions is required for Alpha East, Stapleton, and Barton enclaves. These areas are no longer meeting the definition of a residential enclave. Existing uses will maintain legal non-conforming status.

4.2 OFFICIAL PLAN AND ZONING CONSIDERATIONS

For the remaining areas which are still meeting the definition of a residential enclave, staff reviewed the existing planning permissions for each area, and whether or not any changes are required. Two primary factors were considered:

- In recognition of the longevity of the residential uses in these enclaves and stability over time, how can planning permissions be enhanced to provide flexibility and opportunity for property owners, while still maintaining conformity with provincial and local planning policy direction to preserve and protect employment lands?
- How can consistency in designation and zoning amongst the enclaves be improved?

The following discussion summarizes the recommendations for the enclaves, grouped together by current status of planning permissions:

4.2.1 LAND, ROWANWOOD AND BEATTY

These three enclaves in Hamilton are designated Industrial Land and zoned M5 or M6 with Special Exception (SE) 375. SE 375 recognizes the existing residential use on the property and identifies special setbacks which would apply to additions or alterations to the existing residential use.

Within these enclaves, the composition of land uses has been fairly stable, and residential uses remain the majority land use. The percentage of residential land area has decreased minimally in Beatty and Land, with a corresponding small increase in industrial area. Residential land area has remained consistent in Rowanwood, with a slight drop in overall industrial land area, and an increase in commercial uses.

The existing SE 375 provides recognition of the existing residential uses in these enclaves and allows for additions or alterations to the existing dwellings. Therefore, there are no recommended changes to the planning permissions for these enclaves, with the exception of extending the SE 375 zoning to include a small group of homes fronting on Oliver and Wentworth Streets in the Land enclave.

Recommendation: extend SE 375 to include homes at Oliver and Wentworth Streets in the Land enclave; no changes required for Beatty and Rowanwood.

4.2.2 LEEDS, BIGGAR, CORNELL, AND WINONA

These enclaves in Hamilton and Stoney Creek are currently designated Industrial Land and zoned M5 (Leeds, Biggar) or designated Business Park and zoned M3 (Cornell, Winona). There are no special exceptions within these enclaves to recognize the existing residential uses. The dwellings in these enclaves are considered legal non-conforming (provided they were legally established under the previous zoning). As a legal non-conforming use, section 1.11 of Zoning By-law 05-200 permits the addition of a porch, deck, balcony etc, or an accessory building, swimming pool or hot tub. However, additions or extensions to the dwelling beyond those identified in section 1.11 would require an application under the *Planning Act* to the Committee of Adjustment for the extension or enlargement of a legal non-conforming use.

Within these enclaves, residential remains the predominant land use in terms of land area and number of properties, though for most of these areas there has been a small decline in the amount of residential land area over time. Industrial uses have remained stable or seen a small decline over time. As the residential uses in these enclaves have generally remained stable over time, it is recommended that the special exception SE 375 be applied to the zoning in these enclaves. Applying this exception would provide added property rights to the landowners in these enclaves and allow freedom to expand or

renovate the existing dwellings without the need to apply for additional planning approvals (provided zoning by-law provisions are met). Applying the zoning exception on these lands is not considered an employment land conversion, and therefore could be completed in advance of the completion of the MCR. It is anticipated that the special exception could be applied to these properties as part of the next Zoning By-law 05-200 Housekeeping Update following Council approval of the Residential Enclaves Review (anticipated for early 2020).

The special exception should be applied as follows:

- Leeds: apply SE 375 to 910 – 922 Burlington St E, 116 – 122 Birmingham St, 7 – 9 Leeds St, 2 – 10 Leeds St. The properties at 940 – 944 Burlington St E are isolated from the other parcels and should remain legal non-conforming. (Figure 25)



Figure 25

- Biggar: apply SE 375 to the residential dwellings at 23 to 57 Biggar Avenue. (Figure 26)

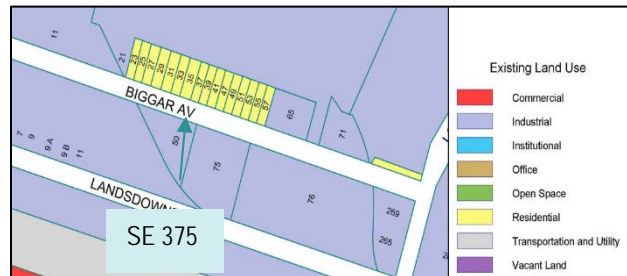


Figure 26

- Cornell: apply SE 375 to 4 – 10 Cornell Ave, 787 – 797 Barton St, 316 – 330 Jones Rd. (Figure 27)

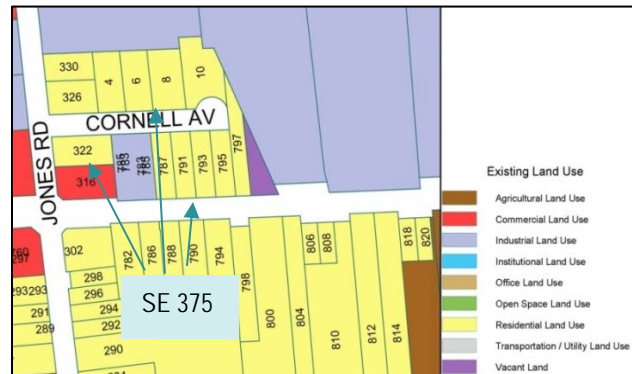


Figure 27

- Winona: apply SE 375 to 397 – 409 Winona Rd, 10 – 18 Oriole Ave, 16 and 24 Victoria Ave. The properties at 28 – 34 Oriole Ave are isolated from the other parcels and should remain legal non-conforming. (Figure 28)



Figure 28

Recommendation: apply Special Exception SE 375 to the residential properties in Leeds, Biggar, Cornell, and Winona, as shown in Figures 25 - 28 above.

4.2.3 MARGARET AND MCNEILLY

Margaret and McNeilly are enclaves in the Stoney Creek Business Park which are both designated Business Park in the UHOP, but which contain residential zoning (Margaret is zoned R1 and ND, McNeilly is a mix of R1 and M3). There is currently a mis-alignment in these enclaves between the Official Plan designation and the Zoning By-law, which needs to be addressed.

Both of these enclaves are predominantly residential (94% and 93% respectively), and contain no industrial land uses. Both have been stable over time. However, beyond those similarities, there is also a considerable difference in the size and layout of these two enclaves. Margaret (5 ha, 43 residential dwellings) is considerably larger than McNeilly (2.6 ha, 16 residential dwellings). The Margaret enclave forms a continuous residential block along the entirety of both sides of Margaret Avenue between Barton Street and Arvin Avenue, in addition to the dwellings fronting onto the east side of Millen Road. The McNeilly enclave, in contrast, is a dis-continuous row of dwellings on the east side of McNeilly Road, in addition to four dwellings on the west side of McNeilly, with industrial uses to both sides. Only the first 8 dwellings on the east side of McNeilly Road north of Barton contain residential zoning.

In recognition of the above, to correct the current discrepancy between the land use designation and the zoning of these enclaves, staff recommend the following:

- Margaret – this enclave should be removed from the Business Park designation and re-designated to Neighbourhoods as part of the MCR Employment Land Review. This conversion of these lands recognizes the long-standing residential uses on the lands, which have experienced no intrusion of industrial uses over time. The conversion

would not create a boundary issue as the entirety of the block between Barton and Arvin can be redesignated on both sides of Margaret and the east side of Millen. Conversion is not anticipated to create incompatible land uses as the existing situation has existed for many years with little change or conflict. This change would correct the existing non-conformity between the UHOP and the Zoning By-law, and would allow the landowners to maintain their existing property rights established through the zoning. (Figure 29)

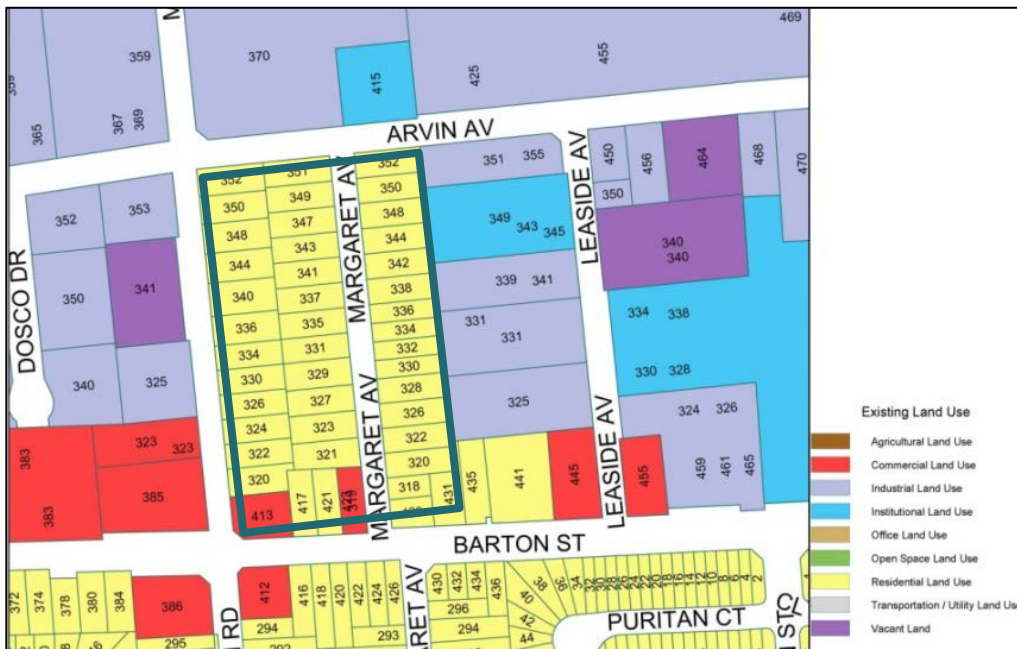


Figure 29 – Margaret enclave: lands to be redesignated to Neighbourhoods

- McNeilly – staff are not recommending a re-designation of this enclave, which would result in an illogical boundary between the Neighbourhoods and Business Park designations, particularly on the west side of McNeilly. The size and smaller number of dwellings in this area do not warrant redesignation. Further, entrenching the residential lands uses further through Official Plan designation could impact the viability of adjacent industrial parcels in the future by precluding future redevelopment for employment uses on some of the surrounding vacant or underutilized parcels. Currently, only eight dwellings on the east side of McNeilly Rd are zoned residential. Staff recommend rezoning the subject lands from the Single Residential (R1) Zone and the Prestige Business Park (M3) Zone to the Prestige Business Park (M3) Zone with Special Exception 375. Applying this exception would allow freedom to expand or renovate the existing dwellings without the need to apply for additional planning approvals (provided zoning by-law provisions are met). (Figure 30)

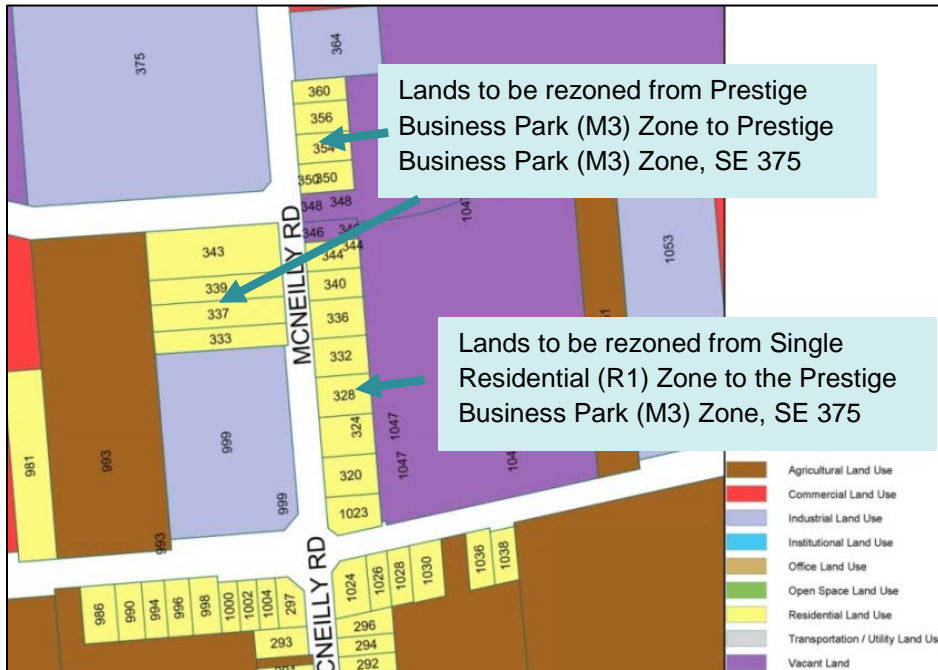


Figure 30 – McNeilly enclave: lands to be rezoned

Recommendation: Redesignate the Margaret enclave from Business Park to Neighbourhoods in the UHOP. Change the zoning of the McNeilly enclave from the Single Residential (R1) Zone and the Prestige Business Park (M3) Zone to the Prestige Business Park (M3) Zone with Special Exception 375.

5.0 CONCLUSIONS

Considerable study of the residential enclaves in the Bayfront Industrial Area and the Stoney Creek Business Park has occurred over the years. This review has examined the existing land uses in each of the enclaves as well as the change in composition of the lands uses over time. In general, with the exception of three enclaves, land use change in the enclaves has been fairly minor, and the enclaves maintain their primarily residential composition.

In light of this conclusion, the policy and zoning changes recommended in this report will improve consistency in planning permissions among the enclaves, provide increased property rights for land owners, and correct an existing discrepancy between the Official Plan and Zoning By-law for two enclaves in Stoney Creek.

EMPLOYMENT LAND REVIEW: *REQUESTS FOR CONVERSION*

CITY OF HAMILTON
OCTOBER, 2019



REQUESTS FOR CONVERSION – EMPLOYMENT LAND REVIEW

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1.0 INTRODUCTION

The purpose of the Employment Land Conversion Analysis ("conversion analysis") is to identify if any lands currently designated "Employment Area" in the Urban Hamilton Official Plan warrant conversion to a non-employment land use. The conversion analysis involved the identification of lands located along the edge of Employment Areas that were also located within a mixed use area, where land uses have morphed over time and a site / area may be more suitable for a non-employment land use designation.

In addition to City staff's review of Employment Area boundaries for potential conversion sites/areas, staff invited public requests for conversions. Staff presented at the Open for Business Subcommittee on May 25, 2017 to share project information and advise Councillors, members of the public, and the business community of the opportunity for members of the public to submit conversion requests. Notices were also placed in the Hamilton Spectator (June 2nd, 2017) and the Realtors Association of Hamilton and Burlington (Issue 5 – June 2017). Project and public request information was available on the City's website.

1.1 CRITERIA FOR CONVERSION ANALYSIS

Growth Plan criteria:

A new Growth Plan for the Greater Golden Horseshoe was released in May, 2019 ("Growth Plan"). Policy 2.2.5.9 of the Growth Plan identifies criteria that must be met prior to the conversion of lands to non-employment uses. The Provincial conversion criteria, as outlined in the Growth Plan, are as follows:

- "2.2.5.9 The conversion of lands within employment areas to non-employment uses may be permitted only through a municipal comprehensive review where it is demonstrated that:
- a) there is a need for the conversion;
 - b) the lands are not required over the horizon of this Plan for the employment purposes for which they are designated;
 - c) the municipality will maintain sufficient employment lands to accommodate forecasted employment growth to the horizon of this Plan;
 - d) the proposed uses would not adversely affect the overall viability of the employment area or prime employment area or the achievement of the

minimum intensification and density targets in this Plan, as well as the other policies of this Plan; and

- e) there are existing or planned infrastructure and public service facilities to accommodate the proposed uses."

The Growth Plan, 2019 introduced the concept of Provincially Significant Employment Zones (PSEZs). PSEZs are employment areas identified by the Province for the purpose of long term employment planning and economic development. In Hamilton, three of the City's employment areas have been identified as PSEZs:

- Bayfront Industrial Area, East Hamilton Industrial Area and Stoney Creek Business Park;
- Red Hill North and South Business Parks; and,
- Airport Employment Growth District.

Additional PSEZs may be identified in the future.

The Growth Plan provides additional direction regarding Employment Land conversion for lands outside of the PSEZs in Policy 2.2.5.10:

"Notwithstanding policy 2.2.5.9, until the next *municipal comprehensive review*, lands within existing *employment areas* may be converted to a designation that permits non-employment uses provided the conversion would:

- a) Satisfy the requirements of policy 2.2.5.9 a), d) and e);
- b) Maintain a significant number of jobs on those lands through the establishment of development criteria; and
- c) Not include any part of an *employment area* identified as a *provincially significant employment zone*."

While it is acknowledged that policy 2.2.5.10 permits employment land conversions outside of PSEZs to be considered in advance of the completion of the MCR, it is the City's intention to consider employment land conversion comprehensively as part of the MCR. This report is being prepared as part of the City's MCR, and any recommended conversion sites will be implemented as part of the MCR process.

Criteria (a) of Policy 2.2.5.9 addresses the question of 'need' for the conversion. For the purposes of this review, staff consider the test of need as being whether or not there are compelling, site / area specific requirements to convert the lands to a non-employment designation. This could include considerations of existing and surrounding land uses, suitability (size, location) of a property to accommodate employment uses, or potential benefit arising from a proposed non-employment use. The question of 'need'

is not directly related to the City's overall employment land supply, rather it is a local, site specific consideration of each conversion candidate.

Criteria (b) and (c) of Policy 2.2.5.9 relate to the City's overall employment land need and determination that the conversion lands are not required for employment purposes to the planning horizon, and that the City will maintain sufficient employment lands. When considering the City's overall employment land needs, it must be remembered that determining employment land need must take into account the adequacy of land supply to accommodate projected growth. It is not only about the amount of land available (supply), but also about the location, size, and readiness for development of the available lands. For this analysis, the sites and areas under consideration are small in size, in some cases are already developed with other uses, and / or are located in an area with a mix of existing uses. It is not anticipated that the conversion of such lands will have a significant impact on the City's overall employment land need. While the results of the City's LNA are not available at the time of writing of this report, it is assumed, based on the parcel size, that none of the sites under consideration would offend criteria (b) and (c) of Policy 2.2.5.9. This will be revisited and reconfirmed following completion of the LNA.

City of Hamilton criteria:

In accordance with Policy F.1.1.11 of the Urban Hamilton Official Plan, the City of Hamilton has established additional criteria to guide the conversion analysis. Both Provincial and municipal evaluation criteria were used to evaluate potential conversion of sites in Employment Areas.

Additional criteria established by the City of Hamilton are:

1. Site(s) are mixed use blocks and located along the edges of employment areas;
2. Conversion of the site(s) will not adversely affect the long-term viability and function of the employment areas;
3. Conversion of the site(s) will not compromise any other planning policy objectives of the City, including planned commercial functions;
4. Conversion of the site(s) will be beneficial to the community through its contribution to the overall intent and goals of the City's policies and demands on servicing and infrastructure;
5. Conversion of the site(s) will not negatively affect the long-term viability of existing employment uses, including large, stand-alone facilities;

6. Conversion of the site(s) will not create incompatible land uses, including a consideration of the Ministry of Environment and Climate Change Land Use Planning guidelines (D-series guidelines); and,
7. Conversion of the site(s) will result in a more logical land use boundary for an employment area.

This criteria was modified from the criteria utilized in the City's 2008 Employment Land Conversion Analysis. The previous analysis included additional criteria to address smaller industrial area (less than 10ha) and scattered industrial sites. There has been no change to these smaller areas since 2008, and therefore these areas are not being reviewed further in this analysis, and the additional criteria was removed. The remainder of the criteria from 2008 remains valid and applicable to the review of employment lands and has been utilized for this analysis.

City of Hamilton criteria 1 was used as an initial screening of conversion requests to determine whether a site / area may warrant additional information / studies, such as a Planning Justification Report and Noise Impact Study. All of the above criteria must be met prior to staff recommending conversion of a site.

1.2 CONVERSION REQUESTS

In total, 19 requests were submitted for conversion consideration. Two submissions from separate applicants were received for properties in the same vicinity (former Westinghouse site), and therefore these submissions are reviewed together in this report. One submission (for the property at 2255 Barton Street East, Stoney Creek) is located in an area that has already been identified by the City as an area of recommended conversion (see Volume 1 of this report), so it is not considered further in this review. Finally, one submitter withdrew their request during the review period. Therefore, a total of 16 sites / areas are considered in this report.

Submitters were asked to outline the site, current uses, the proposed use / conversion, and justification for how the site /area would meet both the Provincial and municipal conversion criteria. Staff identified six sites / areas as meeting criteria 1 and warranting further analysis. Additional studies were requested for these sites / areas. Additional studies were submitted to the City's Planning Division for four of these sites / areas.

This report provides a planning analysis of the sites / areas where conversion was requested. The report first identifies the sites which did not pass criteria 1. For those sites, no further analysis was conducted, and the sites are not being recommended for conversion. In addition, two sites are being deferred from consideration at this time due to their location adjacent to rural lands that may be considered as part of the evaluation process for urban boundary expansion as part of the Municipal Comprehensive Review

(pending the results of the land needs assessment). The report than provides an in-depth analysis for each of the remaining sites that did pass criteria 1, and Staff recommendations are identified for each of these sites.

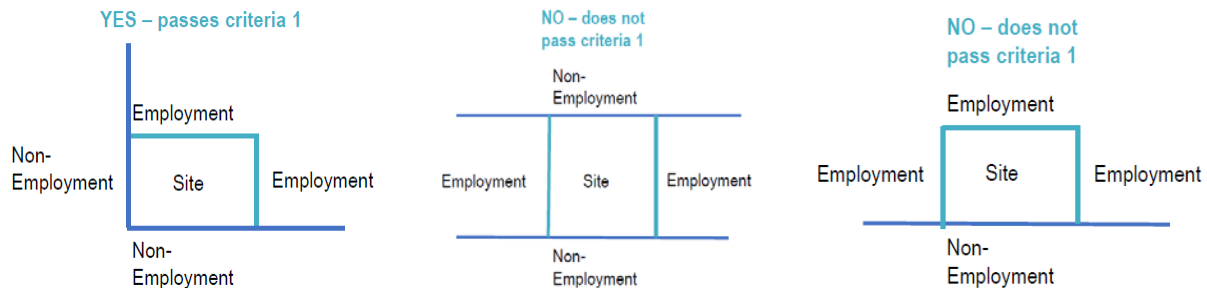
2.0 INITIAL SCREENING

2.1 – CRITERIA NUMBER ONE NOT PASSED

City of Hamilton Criteria 1 stipulates that a site / area must be in a mixed use block and located along the edge of the employment area.

Edge Criteria

The intent of this component of the criteria is to ensure that in converting a site, Employment Areas are not compromised by truncating other existing employment uses from the remainder of the Employment Area. Thus, only edge properties are considered for conversion. Individual sites that only had one edge located along the boundary of an employment area were not considered as edge properties. Generally, sites with 2 or more edges located along the boundaries of an employment area were typically considered as edge properties, though each site was reviewed in context (for example, the property at 1400 South Service Rd, Stoney Creek has two edges which abut non-employment designated lands, but the site is in the middle of a large area of vacant employment lands, with employment designated lands to the east and west, and therefore is not considered a true edge parcel). This determination is summarized in the diagrams below:



Mixed-use Block Criteria

Sites / areas were only considered for conversion if the abutting/adjacent land uses were mixed use. This component of the criteria ensures that a site is converted only if the existing context has significantly morphed over time, and conversion to another use would be appropriate given the mixed use nature of the area. It is important to clarify that sites which are currently vacant or occupied by existing residential or agricultural uses, and are likewise surrounded by lands not yet developed for employment purposes, are not considered to meet the criteria of a mixed use area. These sites are currently underdeveloped but expected to evolve over time into the designated employment use. The 'mixed use' criteria is meant to capture sites that are within

developed areas that have changed over time from a typical employment area into a mixed use or commercial nature.

Both aspects of criteria 1 must be met for a site / area to pass the initial screening. Any submission that did not meet criteria 1 was not further considered for potential conversion. Therefore, no additional studies were requested. Of the sixteen (16) sites/areas submitted for conversion, nine (9) sites did not pass criteria 1 (see Table 1):

Table 1 – Conversion Requests – Did Not Pass Initial Screening

Site Address	Existing Use / Context	Employment Area (Designation) / Zoning	Suggested / Requested Redesignation	Why Request Did Not Meet Criteria 1
Concession 4, Lots 13, 14, 15, and 36, Ancaster (25.14 Ha total)	Vacant	Ancaster ("Business Park") M2, P5	Residential	This site is not located along the edge of the Employment Area and is not in a mixed use area.
330 Nash Road, Stoney Creek (1.62 Ha)	Vacant	Stoney Creek ("Business Park") M6 – 414	Commercial/ retail or high density residential	This site is not located along the edge of the Employment Area.
21 and 20 Brockley Drive, Stoney Creek (1.32 Ha)	Vacant building	Stoney Creek ("Business Park") M2 – 414	Mixed Use (retention of existing uses plus commercial and office uses)	These sites are not located along the edge of the Employment Area.
212 Glover Road, Glanbrook (26.60 Ha)	Vacant	Red Hill South ("Business Park") M3	Mixed use (ground floor commercial with residential)	This site is not located along the edge of the Employment Area and is not in a mixed use area.

Site Address	Existing Use / Context	Employment Area (Designation) / Zoning	Suggested / Requested Redesignation	Why Request Did Not Meet Criteria 1
Portion of 140 Garner Road East, Ancaster (approx. 33 Ha)	Agriculture	AEGD ("Airport Prestige Business" with Site Specific Policy – Area "H") M11 – 26 and H57	Requesting expansion of the employment supportive uses and potential for mixed use inclusive of residential to support gateway	This site is not in a mixed use area. Note: Addition of non-employment use permissions to lands designated Employment is considered to be a conversion.
404 Fruitland Road, Stoney Creek (5.28 Ha)	Motor Vehicle Wreckers Yard	Stoney Creek ("Business Park") M3 – 401 with H-25	Commercial (retail commercial complex including several freestanding restaurant pads, retail stores, and anchor grocery store; hotel, community centre, movie theatre)	This site is not along the edge of the Employment Area (only one edge abuts non-employment designation).
1400 South Service Road, Stoney Creek (7.28 Ha)	Currently vacant, formerly dwellings	Stoney Creek ("Business Park") M3 – 404	None suggested (letter is on behalf of Losani Homes).	This site is not along the edge of the Employment Area. It is in the middle of a large block designated Employment and therefore conversion would result in the creation of 'orphan' employment parcels.

Site Address	Existing Use / Context	Employment Area (Designation) / Zoning	Suggested / Requested Redesignation	Why Request Did Not Meet Criteria 1
105 Beach Road, Hamilton (0.15 Ha)	Vacant building (formerly contained restaurant and 2 dwelling units), parking area	Bayfront ("Industrial Land") M6 – 375	Renovation of existing building to contain two restaurants and 10 dwelling units; construction of additional building with 4 dwelling units.	The site is not along the edge of the Employment Area.

2.2 DEFERRED DECISIONS

Two conversion requests are not being evaluated at this time due to their location adjacent to certain rural lands in the vicinity of the Airport Employment Growth District (AEGD) which will warrant consideration in the evaluation of expansion options in a future phase of the MCR (pending results of the land needs assessment indicating a need for additional land). It is premature to provide an opinion on the merits of conversion without full knowledge of the future land use status of the adjacent lands. As such, the following requests will be considered comprehensively as part of the evaluation of growth options through phase 3 of the MCR, and no further review will be undertaken as part of this report.

Table 2 – Conversion Requests – Deferred Decisions

Site Address	Existing Use / Context	Employment Area (Designation) / Zoning	Suggested / Requested Redesignation	Reason for Evaluation Deferral
700 Garner Road East, Ancaster (26.63 Ha)	Vacant	AEGD ("Institutional" with Site Specific Policy – Area "D") M11 with H37	Requesting a designation that permits long term care facility / retirement home, commercial uses, residential uses as well as	This site is currently designated Institutional, with a site specific policy which indicates that the lands shall be developed for employment uses should the planned institutional use (Redeemer College) not

Site Address	Existing Use / Context	Employment Area (Designation) / Zoning	Suggested / Requested Redesignation	Reason for Evaluation Deferral
			institutional	develop. The site is adjacent to lands which are currently Rural, but which may be evaluated for future urban uses through phase 3 of the MCR. In order to comprehensively evaluate future development in this area of Garner Road E, it is necessary to withhold evaluation of this request at the present time.
Twenty Road West area (approx. 44.2 ha)	Vacant, agricultural	AEGD ("Airport Prestige Business with Site Specific Policy Area "I" and Airport Light Industrial)	Proposed mixed use and compact residential development.	The development on the requested conversion lands is proposed to integrate with development on adjacent Rural lands, on which the proponent is requesting an urban designation through the MCR. The conversion request must be considered jointly with the request to bring the rural lands into the urban boundary through phase 3 of the MCR, and therefore will not be considered through this report.

3.0 CONVERSION REQUESTS – INITIAL SCREENING PASSED

The following section summarizes the staff response to the sites that passed criteria 1 and underwent further analysis.

3.1 645 AND 655 BARTON STREET, STONEY CREEK

Overview and Existing Context

The subject lands have an approximate area of 1.43 ha (3.53 ac) and are located at the northeast corner of Barton Street and Fruitland Road. The subject lands are designated "Business Park" on Volume 1, Schedule E-1 – Urban Land Use Designations of the Urban Hamilton Official Plan (UHOP).

The Fruitland Winona Secondary Plan area abuts the subject lands to the south. The southwest corner of the Fruitland Road and Barton Street intersection is designated "Arterial Commercial" on Volume 2, Map B.7.4-1 – Fruitland Winona Secondary Plan – Land Use Plan. Sites at the northwest and southwest corner of the intersection are designated "District Commercial" on Volume 1, Schedule E-1 – Urban Land Use Designations.

The site is currently vacant. The eastern portion of site previously served as outdoor storage and trailer parking, while the southwestern portion of the site is undeveloped. Parcels in the immediate area are mixed-use, including industrial uses to the north (tire depot), residential uses to the east, industrial uses to the southeast, commercial uses to the south (banquet hall), and commercial uses to the southwest and west (retail / services commercial plazas).

Appendix "B" to Employment Land Review:
 "Requests for Conversion"

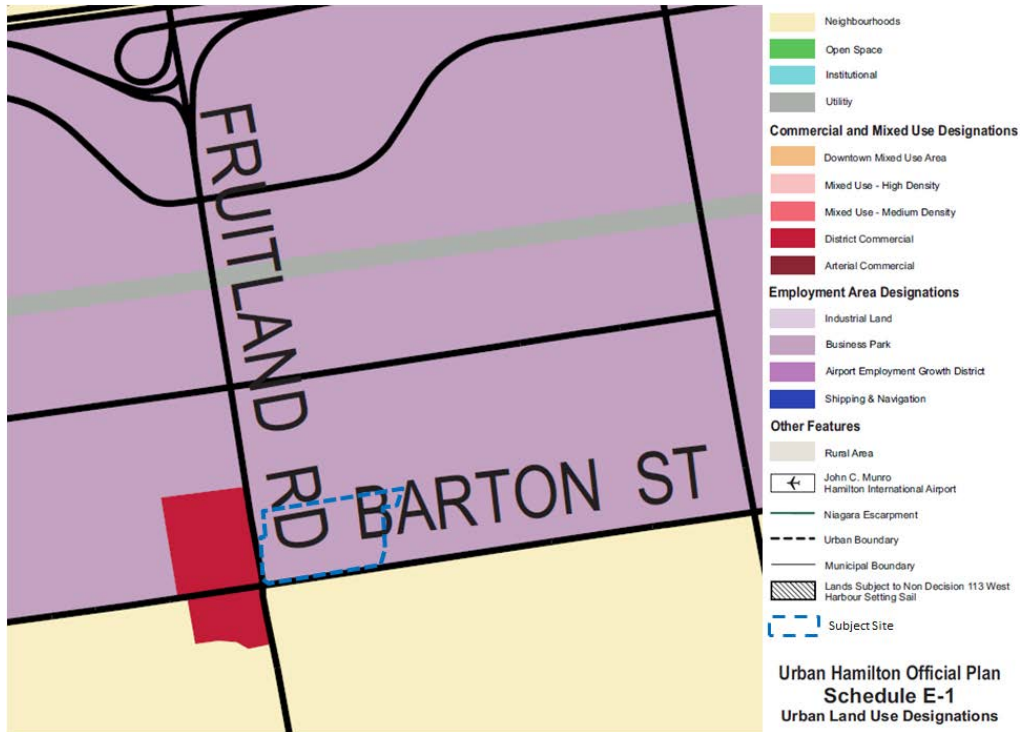


Figure 1 – Land Use designations for 645-655 Barton Street and surrounding lands

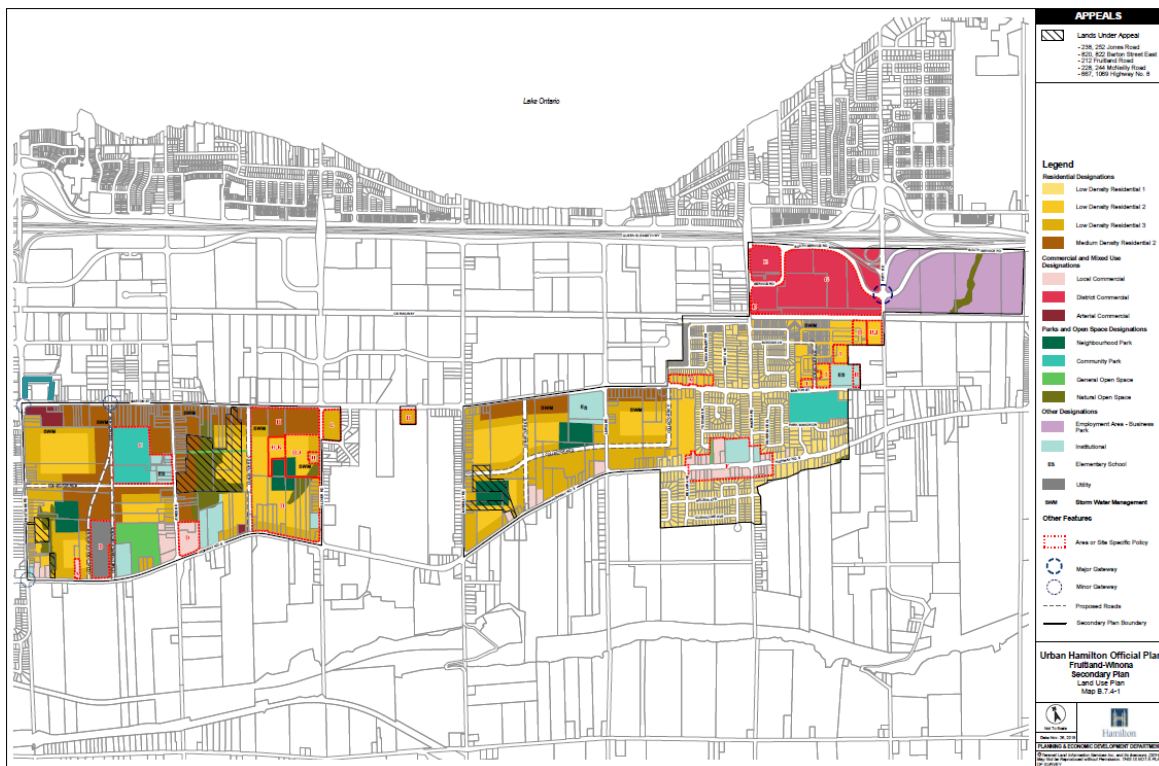


Figure 2 – Fruitland-Winona Secondary Plan area with Subject Site (645-655 Barton Street) adjacent to Plan area

Appendix "B" to Employment Land Review:
 "Requests for Conversion"

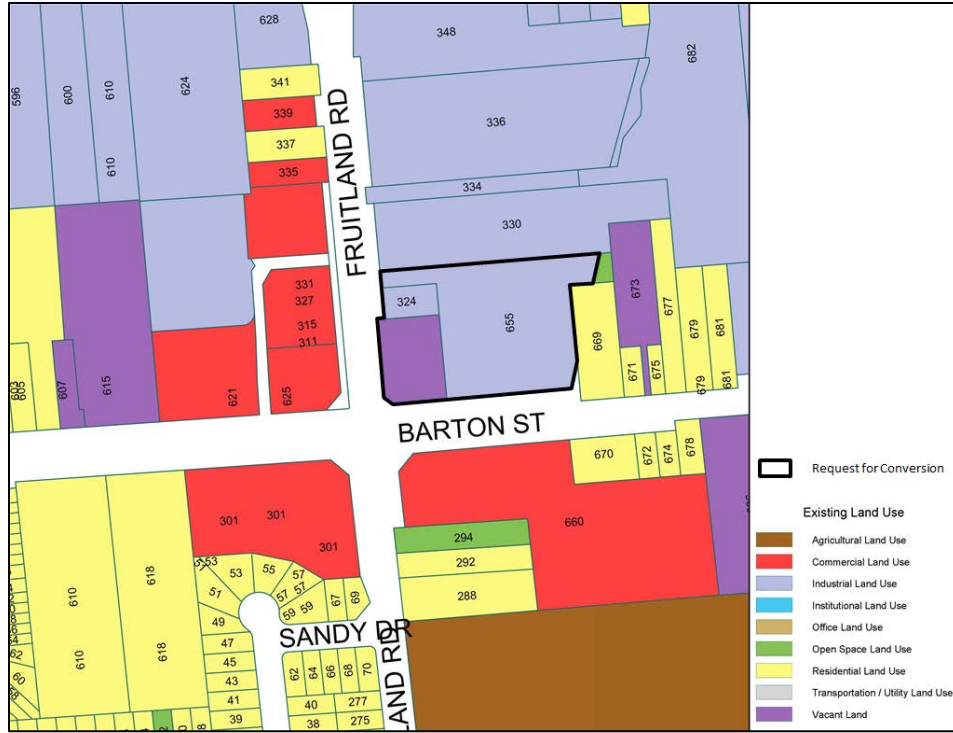


Figure 3 – Land Uses for 645-655 Barton Street and surrounding lands



Figure 4 - Zoning for 645-655 Barton Street

Applicant’s Proposed Conversion, Proposed Land Use, and Rationale

The applicant proposes a commercial site with three commercial buildings and 164 parking spaces. Building 3, located on the easternmost portion of the site, is a proposed daycare with an associated playground area. The exact uses of Building 1 and 2 are not yet determined.

The applicant has requested that the subject lands be converted from the “Business Park” designation and redesignated to the “District Commercial” designation. A Planning Justification Report and Noise Impact Study (in support of the daycare use) have been submitted.

Analysis and Application of Criteria

The proposed development will require the conversion of the subject lands from Employment Area to a commercial designation and zoning. The proposed daycare use is permitted in the District Commercial (C6) zone.

Table 2 identifies how the proposed conversion performs against the Provincial conversion criteria, as outlined in Policy 2.2.5.9 of the Growth Plan. Table 3 identifies how the proposed conversion performs against City’s conversion criteria.

Table 3 – Analysis of 645-655 Barton Street Using Provincial Conversion Criteria

Conversion Criteria	Analysis	Conversion Criteria Met?
There is a need for conversion	At the time of preparation of this report, a proposed need for the conversion has not been demonstrated. The Planning Justification Report speaks to a commercial land use designation being more appropriate for the subject site given the land uses at the Barton Street – Fruitland Road intersection are predominantly commercial. However, this does not represent a need for conversion, particularly given that a portion of the subject lands are zoned Business Park Support (M4) Zone, which permits a range of commercial uses intended to serve the needs of employees and customers of the Business Park. A need for additional commercial space has not been	No

Conversion Criteria	Analysis	Conversion Criteria Met?
	demonstrated.	
The lands are not required over the horizon of this Plan for the employment purposes for which they are designated	While the City has not yet completed the Land Needs Assessment to the year 2041, conversion of these parcels will not have a significant effect on overall land need due to the small size of the parcel.	Yes
The municipality will maintain sufficient employment lands to accommodate forecasted employment growth to the horizon of the plan	Through the completion of the Land Needs Assessment as part of the MCR, the City will plan for employment land need to accommodate forecasted growth.	Neutral
The proposed uses would not adversely affect the overall viability of the employment area or prime employment area or the achievement of the minimum intensification and density targets in this Plan, as well as the other policies of this Plan	The site is relatively small (approx. 1.45 ha) and located at the boundary of the Employment Area, at an intersection where commercial uses exist on 3 of the 4 corners. A new commercial use at this site would not compromise the integrity of the Employment Area.	Yes
There are existing or planned infrastructure and public service facilities to accommodate the proposed uses	There are no anticipated issues with infrastructure or public service facilities in the area to accommodate the proposed commercial development.	Yes

Table 4 – Analysis of 645-655 Barton Street using City Criteria

Conversion Criteria	Analysis	Conversion Criteria Met?
Site(s) are within an area that contains a mix of uses and located along the edges of employment	The site is located along the southern edge of the Stoney Creek Business Park and is located at the corner of an intersection where all other corners are	Yes

Conversion Criteria	Analysis	Conversion Criteria Met?
areas.	<p>designated commercial. Therefore, the site is considered to be on the edge of the Employment Area.</p> <p>Surrounding land uses abutting or adjacent to the subject lands include industrial, commercial, and residential. Therefore, there is a mix of uses in the area.</p>	
<p>Conversion will not adversely affect the long-term viability and function of the employment areas.</p>	<p>The site is relatively small (approx. 1.45 ha) and located at the boundary of the Employment Area, at an intersection where commercial uses exist on 3 of the 4 corners. A new commercial use at this site would not compromise the integrity of the Employment Area.</p> <p>The applicant is proposing the introduction of a sensitive land use (daycare). Further, if the lands were re-designated to District Commercial as per the other lands at this intersection, residential uses in conjunction with commercial uses would be permitted as-of-right. Staff are concerned about the introduction of permissions for new sensitive uses at this location. While it is acknowledged that sensitive uses already exist in the vicinity of the subject lands (east and northwest), these lands are designated "Business Park," and as such, the intention is for these sites to transition into employment uses over time. Sensitive uses also exist to the south of the site in the Neighbourhoods designation but these uses are less of a concern as new industrial development in the Business Park lands would be expected to locate buildings at the street edge of Barton Street and therefore provide shielding from noise concerns through the building itself.</p>	<p>Yes, provided no sensitive uses permitted.</p>

Conversion Criteria	Analysis	Conversion Criteria Met?
	<p>The applicant submitted a noise impact study but staff are not satisfied that it has demonstrated that there will be no negative impact on existing and future employment uses if a sensitive land use is introduced at this location. Therefore, staff find that this criteria could only be satisfied in sensitive land uses (eg. residential, day care) are not permitted on the subject lands.</p>	
<p>Conversion will not negatively affect the long-term viability of existing employment uses, including large, stand-alone facilities.</p>	<p>There are no existing employment uses on the site, however there are existing employment uses to the north of the subject lands.</p> <p>See comments above regarding restriction on sensitive land uses in order to protect the operations of exiting, and future, employment uses.</p>	<p>Yes, provided no sensitive uses permitted.</p>
<p>Conversion will not compromise any other planning policy objectives of the City, including planned commercial functions.</p>	<p>The Fruitland Road – Winona Road intersection is planned for commercial uses on three of the four corners. Further, a portion of the subject land are zoned Business Park Support (M4) Zone, which permits a range of commercial uses intended to serve the needs of employees and customers of the Business Park. As such, commercial uses are already envisioned on a portion of this site.</p> <p>It is the opinion of staff that a need for additional commercial lands in the vicinity has not been demonstrated.</p>	<p>Neutral</p>
<p>Conversion will not create incompatible land uses, including a consideration of MOECC Land Use Compatibility Guidelines.</p>	<p>The applicant submitted a noise impact study to address the proposed day care on the subject lands. Staff are not satisfied that it has demonstrated that there will be no negative impact on existing and future employment uses if a sensitive land use is introduced at this</p>	<p>Yes, provided no sensitive land uses permitted.</p>

Conversion Criteria	Analysis	Conversion Criteria Met?
	location.	
Conversion will be beneficial to the community through its contribution to the overall intent and goals of the City's policies and demands on servicing and infrastructure.	There are currently no identifiable servicing and infrastructure issues. Conversion would provide for commercial redevelopment of an underutilized site and allow for better utilization of existing transit and infrastructure.	Yes
Conversion will result in a more logical land use boundary.	The conversion of these parcels would result in a relatively neutral impact on the Business Park boundary, since the northwest corner of the Barton Street – Fruitland Road intersection is already designated District Commercial.	Yes

Staff Recommendation

Staff cannot recommend conversion of the 1.45 ha parcel because a need for the conversion has not been demonstrated. It is acknowledged that the other three corners of the Barton / Fruitland intersection are used for commercial purposes, and the applicant puts forward an argument that the redesignation of the subject lands would complete the commercial uses at the intersection and enhance the gateway into Fruitland Winona Secondary Plan. Staff find that commercial use of this property would not offend the other conversion criteria, provided no sensitive lands uses are introduced. However, in the absence of a demonstrated need for the conversion, staff cannot support the proposal.

3.2 286 SANFORD AVENUE NORTH, 42 WESTINGHOUSE AVENUE, 30 MILTON AVENUE AND ADJACENT RESIDENTIAL PARCELS

Overview and Existing Context

The subject lands are located in the general area of Barton Street East between Wentworth Avenue North and Birch Avenue. More than one property in the same area has been submitted for conversion consideration by separate parties, and are being addressed as one site for the purposes of this analysis. The addresses are 30 Milton Avenue (0.34 ha or 0.84 ac), 42 Westinghouse Avenue (0.52 ha or 1.30 ac), 286 Sanford Avenue North (0.24 ha or 0.59 ac), and a small pocket of ten (10) residential parcels and one vacant parcel located between Myler Street and Barton Street East, which collectively account for an area of 0.24 ha (0.59 ac).

The subject lands are designated "Industrial Land" on Volume 1, Schedule E-1 – Urban Land Use Designations of the Urban Hamilton Official Plan (UHOP). In this area, the Employment Area abuts lands designated "Residential" and "Mixed Use – Medium Density."

The existing uses on the subject lands include:

- an office building at 286 Sanford Avenue North which is the former head office of the Westinghouse company. This building has been vacant for many years, but has recently undergone a renovation to redevelop a portion of the building for new office uses;
- an under-utilized/vacant parking lot at 42 Westinghouse Avenue;
- an office building at 30 Milton Avenue (which has a raised pedestrian walkway connection to the industrial building at 20 Myler Street); and,
- residential parcels at 268-276 Sanford Avenue North and 13, 15, 17, 19, and 23 Westinghouse Avenue.

Surrounding land uses include industrial to the north (Siemens), residential uses to the east, commercial uses to the south, and institutional (fire station) and open space (Woodlands Park) to the west.

History

The previous conversion analysis completed by the City in 2008 determined that conversion of these sites for residential uses was not appropriate. This decision was in part based on an Ontario Municipal Board decision in the 1990's that denied a request to convert the site with the former office building (286 Sanford Ave N) to residential. The OMB decision identified noise from adjacent industry at 20 Myler Street that precluded the opportunity for redevelopment of 286 Sanford Avenue as a sensitive land

use. There is no new information about noise from existing industrial uses at 20 Myler Street.

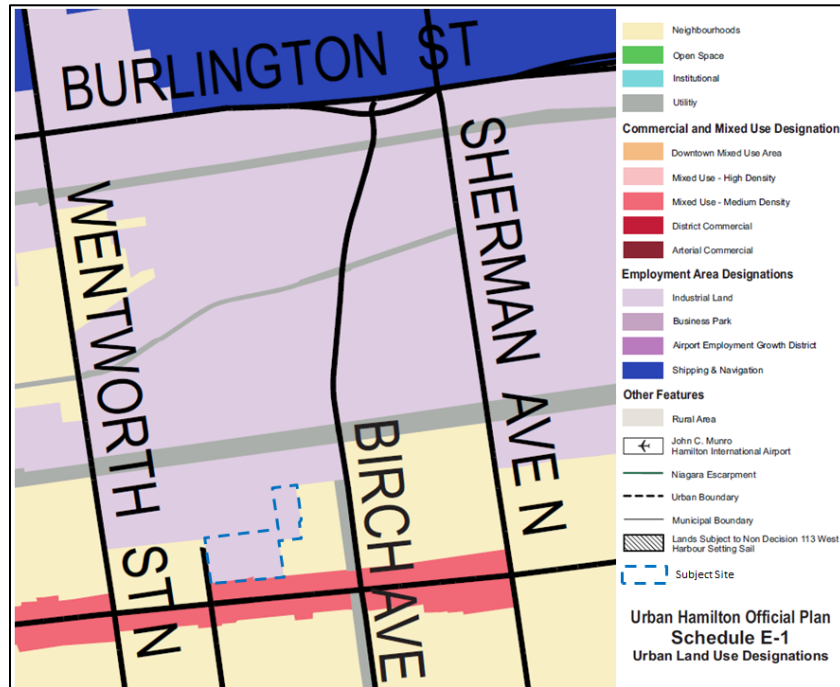


Figure 5 – Land use designations for 286 Sanford Avenue North, 42 Westinghouse Avenue, 30 Milton Avenue and adjacent residential parcels

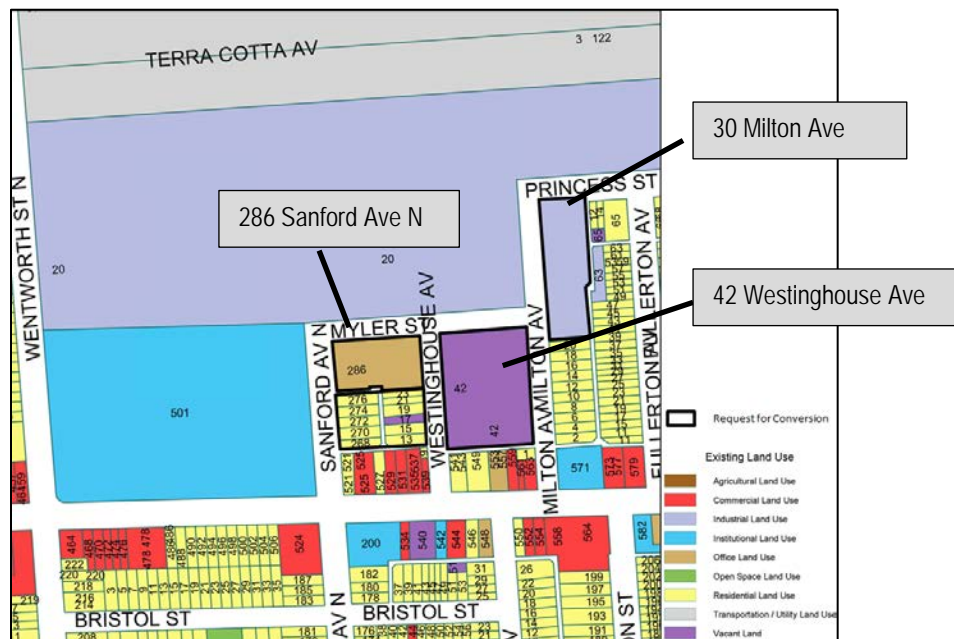


Figure 6 – Land uses for 286 Sanford Avenue North, 42 Westinghouse Avenue, 30 Milton Avenue and adjacent residential parcels

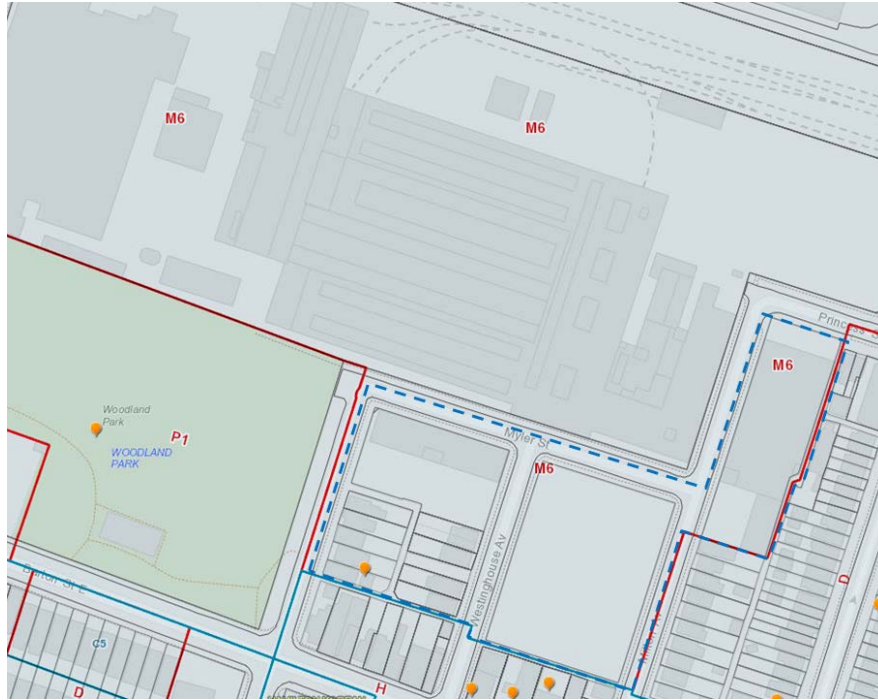


Figure 7 – Zoning for 286 Sanford Avenue North, 42 Westinghouse Avenue, 30 Milton Avenue and adjacent residential parcels

Applicant's Proposed Conversion, Proposed Land Use, and Rationale

Two separate letters were received respecting these parcels but are being considered as one in this analysis. The applicants propose the following:

Applicant 1

- 286 Sanford Ave N – adaptive reuse of existing vacant office building to commercial uses that accommodate architectural, construction, and design businesses. It is noted that these uses are already permitted within the building. The building has retained legal non-conforming status as an office use, and therefore the entirety of the building can be used for office purposes without the need for zoning approvals. There is also mention of a wider range of uses, including retail and residential, which are not permitted by the current zoning.
- 42 Westinghouse Ave – existing vacant parking lot proposed for development into a mixed use development including commercial and retail space and affordable housing.
- The applicant has also included the existing residential parcels to the south of 286 Sanford Ave N in their request, citing their inclusion as resulting in a more logical boundary.

Applicant 2

- 42 Westinghouse Ave – mixed use proposal.
- 30 Milton Ave – existing vacant office building. Proposal is for a mixed use type development with commercial/workshop on the ground floor.

Staff requested the submission of a Planning Justification Report and Noise Impact Study to support the conversion request, but the applicants have not submitted the required studies.

Analysis and Application of Criteria

Through the analysis completed by staff in the City of Hamilton Employment Land Review, staff are recommending the lands located at 286 Sanford Ave N and 42 Westinghouse Ave to Neighbourhoods, with a special policy area to prohibit the introduction of sensitive land uses until a noise impact study is submitted and approved. Staff are also recommending the redesignation of the existing residential uses to the south of these parcels as Neighbourhoods. The analysis and justification for these recommendations can be found in the Employment Land Review report.

Staff acknowledge that the applicants had requested redesignation of 286 Sanford and 42 Westinghouse for mixed use purposes, including residential. However, the applicants did not provide the requested studies, particularly a Noise Impact Study, to justify the introduction of sensitive uses. In light of the adjacent active industrial use, and the history of these subject parcels with the OMB decision not permitting conversion, staff cannot support sensitive uses on these parcels. Introduction of sensitive uses could impact the operations of the adjacent industry which would not pass the conversion criteria.

This analysis will only address the additional parcel at 30 Milton Avenue which was not analysed in the Employment Land Review report. 30 Milton Avenue is currently a vacant office and light manufacturing building. There is an overhead pedestrian walkway above Milton Ave which connects 30 Milton Ave to 20 Myler Street, which is a large active steel manufacturing facility. The applicant is proposing mixed use development of the property, which would require the conversion of the subject lands from Employment Area to a mixed use designation. Table 4 identifies how the proposed conversion performs against the Provincial conversion criteria, as outlined in Policy 2.2.5.9 of the Growth Plan. Table 5 identifies how the proposed conversion performs against City's conversion criteria.

Table 5 - Analysis of 30 Milton Avenue Using Provincial Conversion Criteria

Conversion Criteria	Analysis	Conversion Criteria Met?
There is a need for conversion	A need for this conversion has not been demonstrated. The existing building could be reutilized for industrial / office purposes.	No
The lands are not required over the horizon of this Plan for the employment purposes for which they are designated	While the City has not yet completed the Land Needs Assessment to the year 2041, conversion of this parcel will not have a significant effect on overall land need due to the small size of the parcel.	Yes
The municipality will maintain sufficient employment lands to accommodate forecasted employment growth to the horizon of the plan	Through the completion of the Land Needs Assessment as part of the MCR, the City will plan for employment land need to accommodate forecasted growth.	Neutral
The proposed uses would not adversely affect the overall viability of the employment area or prime employment area or the achievement of the minimum intensification and density targets in this Plan, as well as the other policies of this Plan	<p>While 30 Milton is currently vacant, the building and the site are large enough to accommodate a new employment use. Conversion of this site would preclude that opportunity.</p> <p>Further, the proposed residential components could potentially adversely affect the adjacent large manufacturing industry. Staff are concerned about the introduction of permissions for new sensitive uses at this location. While it is acknowledged that sensitive uses already exist in the vicinity of the subject lands, the redesignation of 30 Milton Ave would result in sensitive uses being located closer to the industry at 20 Myler Ave. The previous OMB decision regarding 286 Sanford had identified concerns with the introduction of residential uses at this location and the potential impact (limitations) on the operations of the steel manufacturer at 20 Myler Ave. There was</p>	No

Conversion Criteria	Analysis	Conversion Criteria Met?
	<p>also a question as to whether or not it would be possible to fully mitigate the noise emanating from the industry if a sensitive use was proposed in such close proximity. The applicants have not submitted any justification in the form of a planning report or noise impact study to address this concern.</p> <p>In the absence of a noise impact study to address the impact of introducing sensitive land uses on the subject lands, it is not possible to confirm that this criteria has been met if sensitive uses are proposed.</p>	
<p>There are existing or planned infrastructure and public service facilities to accommodate the proposed uses</p>	<p>This area falls within a fully developed part of the urban area.</p>	<p>Yes</p>

Table 6 - Analysis of 30 Milton Avenue using City Conversion Criteria

Conversion Criteria	Analysis	Conversion Criteria Met?
<p>Site(s) are within an area that contains a mix of uses and located along the edges of employment areas.</p>	<p>The site is on the edge of the Bayfront Industrial Area. Uses to the north are industrial, south is residential and commercial (along Barton St E), east is residential, and west is parkland. Therefore, the area is mixed use.</p>	<p>Yes</p>

Conversion Criteria	Analysis	Conversion Criteria Met?
Conversion will not adversely affect the long-term viability and function of the employment areas.	<p>While 30 Milton is currently vacant, the building and the site are large enough to accommodate a new employment use. Conversion of this site would preclude that opportunity.</p> <p>Please see comments above regarding the introduction of sensitive uses.</p>	No
Conversion will not negatively affect the long-term viability of existing employment uses, including large, stand-alone facilities.	<p>While 30 Milton is currently vacant, the building and the site are large enough to accommodate a new employment use. Conversion of this site would preclude that opportunity. Further, the introduction of sensitive uses could negatively impact the industrial manufacturing use at 20 Myler Ave.</p>	No
Conversion will not compromise any other planning policy objectives of the City, including planned commercial functions.	<p>Staff are recommending conversion of the sites to the south (286 Sanford and 42 Westinghouse) to a mixed use designation. As such, there will already be an opportunity for new mixed use / commercial uses in the vicinity and there is no known benefit to adding additional permissions on this site.</p>	Neutral
Conversion will not create incompatible land uses, including a consideration of MOECC Land Use Compatibility Guidelines.	<p>The proposed residential components could potentially adversely affect the adjacent large manufacturing industry.</p> <p>Please see comments above regarding the introduction of sensitive uses.</p>	No
Conversion will be beneficial to the community through its contribution to the overall intent and goals of the City's policies and demands on servicing and infrastructure.	<p>There is no evidence to support a community benefit to redesignation of this parcel. Further, redesignation may preclude future employment opportunities on the parcel.</p>	Neutral

Conversion Criteria	Analysis	Conversion Criteria Met?
Conversion will result in a more logical land use boundary.	Conversion would not create a boundary issue.	Yes

Recommendation

The proposed conversion of 30 Milton Avenue does not meet several of the City and provincial conversion criteria. Conversion of the property precludes the opportunity for reuse of the existing building or redevelopment of the site for an employment use. Further, introduction of sensitive uses could have a negative impact on the existing adjacent industry. No studies have been submitted by the applicant to address this concern. Therefore, staff do not support the conversion.

3.3 1725 STONE CHURCH ROAD EAST, STONEY CREEK

Overview and Existing Context

The subject lands are located in the northeast corner of the Red Hill Business Park (North) and are located directly southwest of the Red Hill Valley Parkway / Lincoln Alexander Parkway intersection and front onto Stone Church Road East. The lands are 8.97 ha (22.2 ac) in size.

The subject lands are designated "Business Park" on UHOP Volume 1, Schedule E-1. The northeast portion of the subject lands fall within the West Mountain Area (Heritage Green) Secondary Plan Area, and are designated "Employment" on Map B.7.5-1 – West Mountain Area (Heritage Green) Secondary Plan – Land Use Plan.

Directly to the west of the subject lands is a 30 metre wide utility corridor designated "Utility" that spans the length subject lands. To the west of the utility corridor are lands designated "Arterial Commercial". Lands to the east are designated "Mixed Use – Medium Density", and to the southeast are designated "District Commercial".

Surrounding land uses include retail commercial to the east, a grocery store to the southeast, a service station to the south (gas station, car wash, Tim Horton's drive through, and McDonald's).

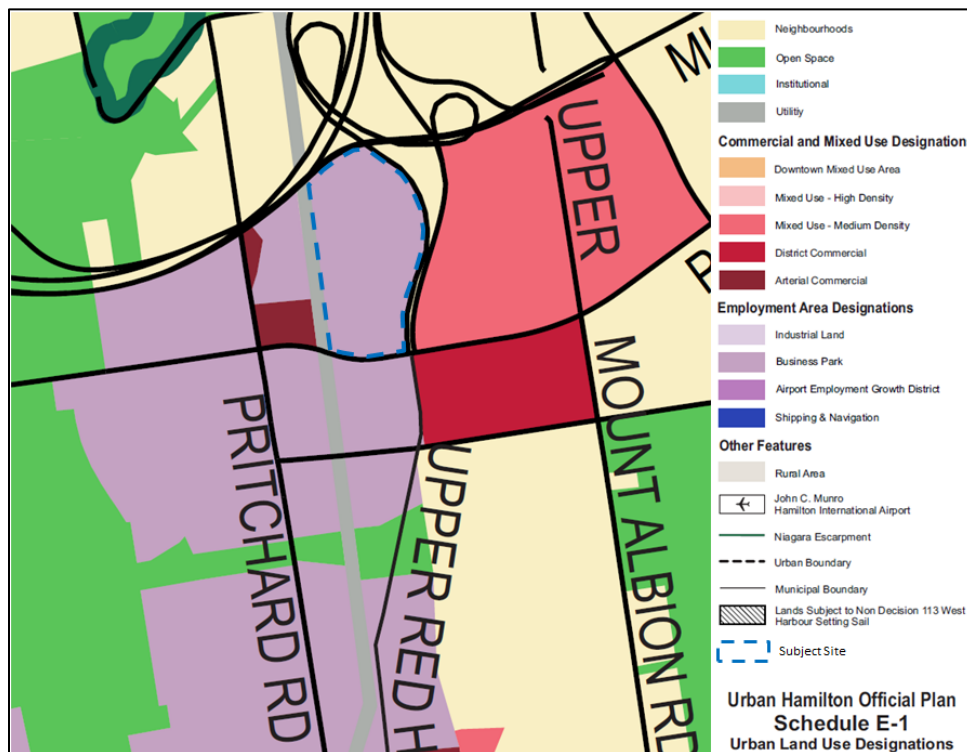


Figure 8 – Land use designations for 1725 Stone Church Road East

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Figure 9 – Land uses for 1725 Stone Church Road East



Figure 10 – Zoning for 1725 Stone Church Road East

Applicant’s Proposed Conversion, Proposed Land Use, and Rationale

The applicant proposes to broaden the range of permitted uses to include retail, restaurants, financial establishments, personal services, commercial recreation, and possibly office. In terms of building type, single tenancies or multi-tenanted buildings, as well as multi-storeyed development is proposed. Total building area yield is in the range of 16,720 – 20,900 sq. metres (180,000 – 225,00 sq. ft). The applicant also tentatively proposes high density residential uses on the northwest corner of the subject lands. The applicant’s justification is that expanded use permissions on the site could support businesses and employees within the Employment Area and contribute to vibrant, mixed use character of the West Mountain Core Area community node, and also enhance the gateway to the West Mountain Core Area.

Analysis and Application of Criteria

The proposed conversion would require a redesignation of the subject lands from Business Park / Employment in Volumes 1 and 2 of the UHOP to a Mixed Use designation, depending on the density.

Table 6 identifies how the proposed conversion performs against the Provincial conversion criteria, as outlined in Policy 2.2.5.9 of the Growth Plan. Table 7 identifies how the proposed conversion performs against the City’s conversion criteria.

Table 7 - Analysis of 1725 Stone Church Road East Using Provincial Conversion Criteria

Conversion Criteria	Analysis	Conversion Criteria Met?
There is a need for conversion	The site is currently vacant. There is also a large commercial node to the east of the subject site, which is still being developed. The Planning Justification Report speaks to the ability of the Heritage Greene mixed use precinct to accommodate higher intensity mixed uses, but does not provide any justification for a need for additional commercial / mixed uses in the vicinity. There is no compelling site-specific circumstances which identify a need for the conversion of this site to provide for additional commercial uses in the area.	No
The lands are not required over the horizon of this Plan	The City has not yet completed the Land Needs Assessment (LNA) to the year 2041.	Update following

for the employment purposes for which they are designated	Due to the size of the parcel (almost 9 ha), evaluation of this criteria will be dependent on the outcome of the LNA.	LNA
The municipality will maintain sufficient employment lands to accommodate forecasted employment growth to the horizon of the plan	Through the completion of the Land Needs Assessment as part of the MCR, the City will plan for employment land need to accommodate forecasted growth.	Update following LNA
The proposed uses would not adversely affect the overall viability of the employment area or prime employment area or the achievement of the minimum intensification and density targets in this Plan, as well as the other policies of this Plan	The conversion of this site to a commercial use could set a precedent for other nearby sites that are quasi-commercial-industrial to be converted. While it is recognized that there are existing commercial uses on surrounding lands, these uses are permitted as part of the employment designation and existing zoning. Introducing further commercial permissions by converting the subject property could set a precedent for future further encroachment of commercial uses in the business park and future conversion requests through subsequent official plan reviews.	No
There are existing or planned infrastructure and public service facilities to accommodate the proposed uses	Likely met	Yes

Table 8 - Analysis of 1725 Stone Church Road East Using City Conversion Criteria

Conversion Criteria	Analysis	Conversion Criteria Met?
Site(s) are within an area that contains a mix of uses and located along the edges of employment areas.	The site is on edge of the Red Hill Business Park (North). The surrounding land uses are mixed, with commercial uses to the east, west, and south, industrial uses to the southwest, and a mix of road network, open space, and residential to the north.	Yes

<p>Conversion will not adversely affect the long-term viability and function of the employment areas.</p>	<p>Unclear. The subject site is located in the corner of the employment area, and removing the lands may have little impact on the function of the employment area as a whole. However, conversion of this site could set a precedent, which could encourage landowners in the vicinity to request conversion of parcels in the future.</p>	<p>Unclear</p>
<p>Conversion will not negatively affect the long-term viability of existing employment uses, including large, stand-alone facilities.</p>	<p>There are no existing large industrial facilities in the immediate area. Existing employment uses in close proximity to the subject lands include self-storage, tool manufacturing, uniform manufacturing, graphic design/embroidery/screen printing and are not anticipated to be negatively impacted by a conversion.</p>	<p>Yes</p>
<p>Conversion will not compromise any other planning policy objectives of the City, including planned commercial functions.</p>	<p>New commercial / office uses may compete with existing commercial uses located in the West Mountain Core Area of the West Mountain (Heritage Green) Secondary Plan, where the intent is to create a vibrant mixed use area and a commercial centre for the surrounding community.</p>	<p>No</p>
<p>Conversion will not create incompatible land uses, including a consideration of MOECC Land Use Compatibility Guidelines.</p>	<p>If residential uses are proposed in the future, a noise impact study would be required to demonstrate that any noise impacts from surrounding stationary noise sources and traffic noise sources could be mitigated. As there are no large scale manufacturing uses in the immediate vicinity, a compatibility issue is not anticipated.</p>	<p>Yes</p>
<p>Conversion will be beneficial to the community through its contribution to the overall intent and goals of the City's policies and demands on servicing and infrastructure.</p>	<p>The site is currently undeveloped. Development of the site would constitute intensification of a site within an area that is already developed, which would be a community benefit. However, the site is currently designated and zoned for employment uses. Increasing the City's employment assessment base is an important component of the City's future growth, and therefore conversion of lands out of the employment designation is not</p>	<p>No</p>

	encouraged.	
Conversion will result in a more logical land use boundary.	The applicant proposes to shift the boundary to either the hydro corridor directly west of the parcel, or an alternative boundary of Pritchard Road is suggested since the lands at the northeast corner of Pritchard Road and Stone Church Road E are designated Commercial. Staff find that the existing boundary of the Red Hill Valley Parkway provides a logical separation between the employment area and the adjacent community node, and a change is not recommended.	No

Recommendation

The subject lands do not meet several of the Provincial and City conversion criteria. While the applicant’s justification report focussed on the potential for the converted site to contribute to the vitality of the adjacent node, it is noted that the subject lands are not located within the community node. The subject lands are located within the Business Park, and therefore the planned intent is for these lands to contribute to the viability of the overall employment area. Commercial and mixed use development should be concentrated to the east. Further, Staff are concerned that conversion of this parcel could lead to conversion pressures on adjacent parcels. Therefore, conversion is not recommended.

3.4 354-356 EMERALD STREET NORTH AND 118 SHAW STREET, 60 SHAW STREET/351 EMERALD AVENUE NORTH, 65 SHAW STREET, 1 DOUGLAS DRIVE/101-103 SHAW STREET

Overview and Existing Context

The subject area includes several parcels of land that are located in the Bayfront Industrial Area. The subject lands are designated "Industrial" on Schedule E-1 of the UHOP. Surrounding lands are also designated "Industrial". The southern boundary of the Employment Area in this area is the rail line, while the boundary to the north is a former residential enclave that is now designated "Neighbourhoods". While the enclave was removed from the Employment Area, there are several parcels in the vicinity of the subject sites, particularly along Shaw Street that are residential.

The total area requested for conversion is 1.48 Ha. Current land uses of the subject sites include industrial (Candy Manufacturing, Warehousing, Office) and parking lots.

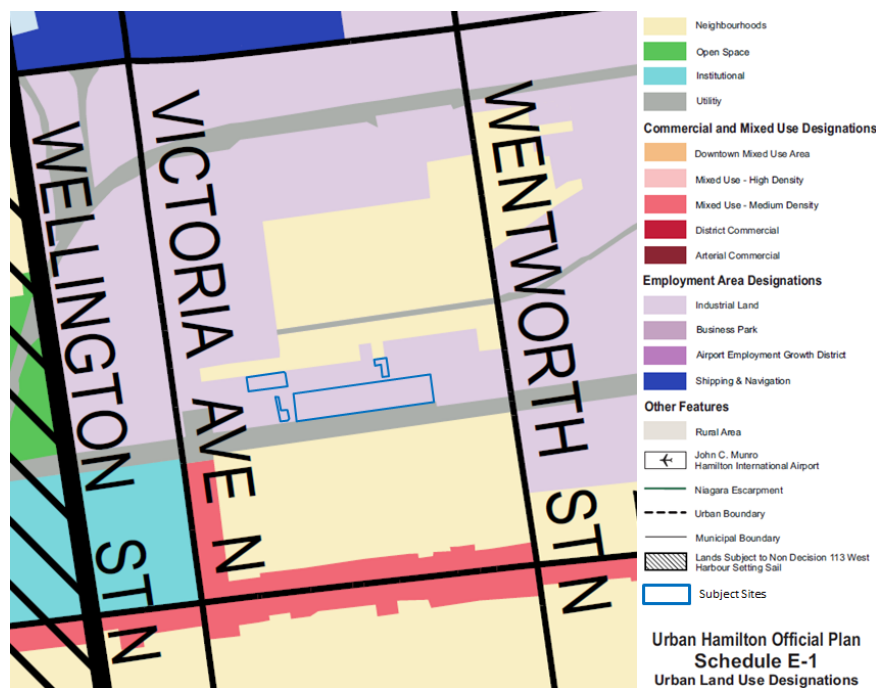


Figure 11: Land use designations for 354-356 Emerald Street North and 118 Shaw Street, 60 Shaw Street/351 Emerald Street North, 65 Shaw Street, 1 Douglas Drive/101-103 Shaw Street

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Figure 12 – Land uses for 354-356 Emerald Street North and 118 Shaw Street, 60 Shaw Street/351 Emerald Street North, 65 Shaw Street, 1 Douglas Drive/101-103 Shaw Street



Figure 13 – Zoning for 354-356 Emerald Street North and 118 Shaw Street, 60 Shaw Street/351 Emerald Street North, 65 Shaw Street, 1 Douglas Drive/101-103 Shaw Street

Applicant's Proposed Conversion, Proposed Land Use, and Rationale

The applicant proposes conversion of the following properties, with the proposed uses noted as follows:

- 354/356 Emerald St N and 118 Shaw St – adaptive reuse of industrial/ office/ warehousing buildings or redevelopment project to a mixed use development consisting of residential, retail, and office.
- 65 Shaw St – residential / mixed-use
- 60 Shaw St / 351 Emerald St N – residential / mixed use
- 1 Douglas Drive / 101-103 Shaw St – residential

The applicant submitted a Planning Justification Report and Noise Impact Study in support of the proposed conversions. Within the Planning Justification Report, the applicant notes the potential of converting the entirety of the employment area shown in Figure 10 below, to the north of the railway tracks. The rationale for this consideration is that the employment lands in this area are surrounded to the north and south by lands designated Neighbourhoods, and that the majority of the land uses in the area are residential. The applicant suggests that converting the entirety of this area to Neighbourhoods would be a better reflection of the actual existing uses.

Analysis and Application of Criteria

Through the analysis completed by staff in the City of Hamilton Employment Land Review, all lands within this area to the north of Shaw Street are being recommended for conversion. The analysis and justification for this recommendation can be found in the Employment Land Review report.

This analysis will focus on the remaining parcels being requested by the applicant south of Shaw Street: 354 – 356 Emerald St N / 118 Shaw St (1.17 ha / 2.89 ac) and 60 Shaw St (0.06 ha / 0.15 ac). 354 – 356 Emerald and 118 Shaw currently contains an active industrial use (Karma Candy) and 60 Shaw is currently vacant. The applicant proposes mixed use development of the subject lands, which would require the conversion of the subject lands from Employment Area to a commercial or mixed use designation. Table 8 identifies how the proposed conversion performs against the Provincial conversion criteria, as outlined in Policy 2.2.5.9 of the Growth Plan. Table 9 identifies how the proposed conversion performs against City's conversion criteria.

**Table 9 - Analysis of 354-356 Emerald Street North / 118 Shaw St, and 60 Shaw Street
 Using Provincial Conversion Criteria**

Conversion Criteria	Analysis	Conversion Criteria Met?
There is a need for conversion	A need for the conversion has not been demonstrated. There is an existing active industrial use on the largest site which needs to be protected. The smaller site is vacant. The applicant suggests that the sites could be redeveloped for mixed use or residential purposes, contributing to mild intensification in the neighbourhood and increasing housing opportunities. Staff suggest that the proposed redesignations of the lands north of Shaw St in Volume 1 of the Employment Land Review will allow for these opportunities to occur in the neighbourhood. There is no compelling need to include the two properties south of Shaw Street in the conversion, particularly in consideration of the active industrial use on the lands, and the adjacency to the rail line.	No
The lands are not required over the horizon of this Plan for the employment purposes for which they are designated	While the City has not yet completed the Land Needs Assessment to the year 2041, conversion of these parcels will not have a significant effect on overall land need due to the small size of the parcel.	Yes
The municipality will maintain sufficient employment lands to accommodate forecasted employment growth to the horizon of the plan	Through the completion of the Land Needs Assessment as part of the MCR, the City will plan for employment land need to accommodate forecasted growth.	Neutral

Conversion Criteria	Analysis	Conversion Criteria Met?
The proposed uses would not adversely affect the overall viability of the employment area or prime employment area or the achievement of the minimum intensification and density targets in this Plan, as well as the other policies of this Plan	Existing employment uses on the proposed conversion sites may be compromised. The PJR did not address loss of existing employment uses. The employment area as a whole would not be impacted as these sites fall within a former residential enclave and uses are mixed.	No
There are existing or planned infrastructure and public service facilities to accommodate the proposed uses	Yes – well within existing urbanized/developed area	Yes

Table 10 - Analysis of 354-356 Emerald Street North / 118 Shaw Street and 60 Shaw Street Using City Conversion Criteria

Conversion Criteria	Analysis	Conversion Criteria Met?
Site(s) are within an area that contains a mix of uses and located along the edges of employment areas.	The area contains a mix of residential, industrial, commercial, and parking land uses. The area is located on the edge of the Employment Area.	Yes
Conversion will not adversely affect the long-term viability and function of the employment areas.	Removal of the subject sites from the Employment Area designation would impact a large industrial manufacturing operation.	No
Conversion will not negatively affect the long-term viability of existing employment uses, including large, stand-alone facilities.	The existing employment use on the subject lands is Karma Candy, an active industrial manufacturer. The conversion of the subject sites would be a change in land use from an existing employment use.	No

Conversion Criteria	Analysis	Conversion Criteria Met?
Conversion will not compromise any other planning policy objectives of the City, including planned commercial functions.	The conversion would not represent a substantial addition of commercial/residential land uses to the area, and it is not anticipated to have an impact on planned commercial functions elsewhere.	Yes
Conversion will not create incompatible land uses, including a consideration of MOECC Land Use Compatibility Guidelines.	Conversion may create conflicting land uses, however the Noise Study indicates that impacts can be adequately controlled through mitigation measures, façade design, and warning clauses. There are existing residential uses in the area that are in equal or closer proximity to existing employment uses.	Yes
Conversion will be beneficial to the community through its contribution to the overall intent and goals of the City's policies and demands on servicing and infrastructure.	Existing industrial uses and jobs could be lost.	No
Conversion will result in a more logical land use boundary.	No – through the Employment Land Review report, staff are recommending the lands north of Shaw St be converted to the Neighbourhoods designation, which will result in a more logical boundary. Staff cannot support the conversion of 354-365 Emerald and 118 Shaw as this would impact an existing employment use. Staff recommend maintaining the lands south of Shaw St in the Employment Area designation, which would include the property at 60 Shaw St.	No

Recommendation

The subject lands do not meet all of the provincial and city conversion criteria. The particular area of concern is with regard to the existing industrial use on the subject lands, Karma Candy, which is a large industrial use which occupies the entirety of one of the parcels proposed for conversion. Staff are concerned about the loss of a viable

employment use. The Planning Justification Report submitted by the applicant did not address this issue. Therefore, staff do not support the conversion request of 354 -356 Emerald St N / 118 Shaw St or 60 Shaw St.

As noted, the remaining lands requested by the applicant (65 and 101-103 Shaw St) are being recommended for conversion in the Employment Land Review report.

3.5 2683 Barton Street East, Stoney Creek

Overview and Existing Context

The subject lands are located in the East Hamilton Business Park. The subject lands are designated "Business Park" on Schedule E-1 of the UHOP. Surrounding lands to the north and east are also designated "Industrial". To the south, lands are designated Neighbourhoods on the south side of Barton Street. Lands to the west are designated Open Space to recognize a natural ravine.

The lands are currently occupied by a vacant building. Surrounding uses include a mix of industrial and commercial uses to the north and east, and residential to the south. The size of the parcel is 0.8 ha.

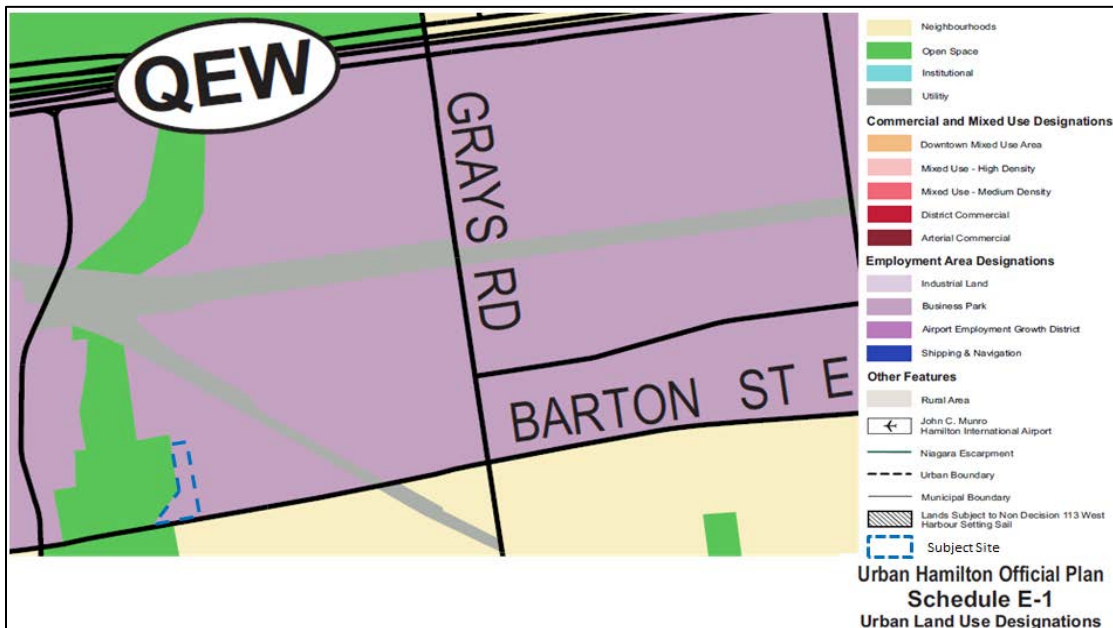


Figure 14 - Land use designations for 2683 Barton Street East

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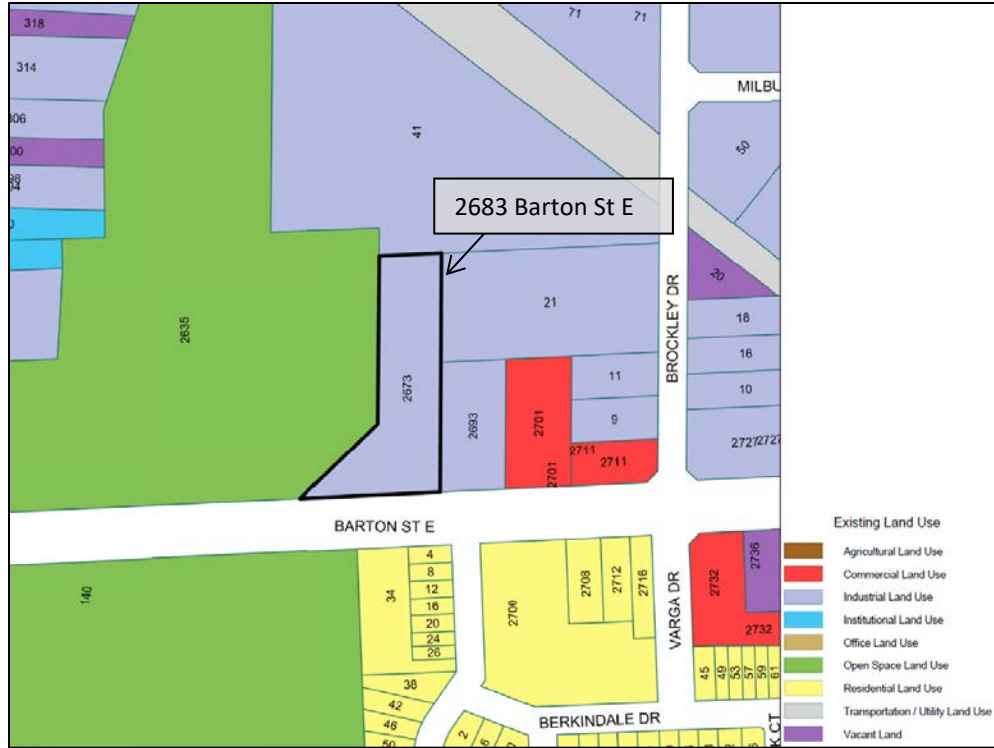


Figure 15 – Land uses for 2683 Barton Street East



Figure 9

Applicant’s Proposed Conversion, Proposed Land Use, and Rationale

The applicant proposes conversion of the property to allow for a possible combination of commercial, office and high density residential uses. The applicant cites the adjoining natural area to the west and the residential uses to the south as limiting factors in the type of employment uses that can locate on the lands. Further, the applicant notes that they have actively marketed the property for many years without success. Staff requested the submission of a Planning Justification Report and Noise Impact Study to support the conversion request, but the applicant has not submitted the required studies.

Analysis and Application of Criteria

The proposed development will require the conversion of the subject lands from Employment Area to a commercial or mixed use designation. Table 10 identifies how the proposed conversion performs against the Provincial conversion criteria, as outlined in Policy 2.2.5.9 of the Growth Plan. Table 11 identifies how the proposed conversion performs against City’s conversion criteria.

Table 11 - Analysis of 2683 Barton Street East Using Provincial Conversion Criteria

Conversion Criteria	Analysis	Conversion Criteria Met?
There is a need for conversion	There has been no need demonstrated for the conversion of these lands. Staff are not aware of any compelling site specific factors resulting in a need for conversion of these lands.	No
The lands are not required over the horizon of this Plan for the employment purposes for which they are designated	While the City has not yet completed the Land Needs Assessment to the year 2041, conversion of this parcel will not have a significant effect on overall land need due to the small size of the parcel.	Yes
The municipality will maintain sufficient employment lands to accommodate forecasted employment growth to the horizon of the plan	Through the completion of the Land Needs Assessment as part of the MCR, the City will plan for employment land need to accommodate forecasted growth.	Neutral

Conversion Criteria	Analysis	Conversion Criteria Met?
The proposed uses would not adversely affect the overall viability of the employment area or prime employment area or the achievement of the minimum intensification and density targets in this Plan, as well as the other policies of this Plan	<p>The proposed residential components could potentially adversely affect adjacent industry, but not the entirety of the employment area.</p> <p>In the absence of a noise impact study to address the impact of introducing sensitive land uses on the subject lands, it is not possible to confirm that this criteria has been met.</p>	No
There are existing or planned infrastructure and public service facilities to accommodate the proposed uses	Yes – well within existing urbanized/developed area	Yes

Table 12 - Analysis of 2683 Barton Street East Using City Conversion Criteria

Conversion Criteria	Analysis	Conversion Criteria Met?
Site(s) are within an area that contains a mix of uses and located along the edges of employment areas.	<p>The area is located on the edge of the Employment Area, with two sides adjoining non-employment uses (Neighbourhoods to the south and Open Space to the west). The surrounding lands within the Business Park contains a mix of industrial and commercial uses, and residential uses exist to the south.</p>	Yes

Conversion Criteria	Analysis	Conversion Criteria Met?
Conversion will not adversely affect the long-term viability and function of the employment areas.	<p>The conversion will not affect the employment area as a whole, as the subject parcel is small in size and located in such an area that it would not result in the isolation or separation of other employment uses.</p> <p>However, staff are concerned that the introduction of a Mixed Use or Neighbourhoods designation on the subject lands could lead to pressures to convert more parcels in the future.</p>	Neutral
Conversion will not negatively affect the long-term viability of existing employment uses, including large, stand-alone facilities.	Existing employment uses adjacent to the proposed conversion could be negatively affect by new sensitive land uses, as conversion of the lands for residential uses would represent an introduction of sensitive uses on the north side of Barton Street in this area.	No
Conversion will not compromise any other planning policy objectives of the City, including planned commercial functions.	The conversion would not represent a substantial addition of commercial/ residential land uses to the area, and therefore it is not anticipated that it would impact planned commercial functions elsewhere.	Yes
Conversion will not create incompatible land uses, including a consideration of MOECC Land Use Compatibility Guidelines.	The applicant has not submitted a Noise Impact Study to demonstrate that potential impacts can be mitigated.	No
Conversion will be beneficial to the community through its contribution to the overall intent and goals of the City's policies and demands on servicing and infrastructure.	The applicant has not provided any rationale for the conversion of this property, other than an inability to find a buyer or tenant for the lands. The City has identified the lands on the north side of Barton Street for employment uses. Introduction of a Mixed Use or Neighbourhoods designation on the subject lands could lead to pressures to convert more parcels in the	No

Conversion Criteria	Analysis	Conversion Criteria Met?
	future.	
Conversion will result in a more logical land use boundary.	No – there are no other Mixed Use or Neighbourhoods designated lands on the north side of Barton Street in this area.	No

Recommendation

The subject lands do not meet a number of the provincial and city conversion criteria, and the applicant has not submitted a Planning Justification Report or Noise Impact Study to address these issues. Staff are concerned about conversion of the subject lands, and the potential for further conversion pressures on the north side of Barton Street as a result. No convincing rationale has been provided to support the conversion.

Staff do not support the conversion request.

3.6 85 DIVISION STREET AND 77 – 79 MERCHISON AVENUE, HAMILTON

Overview and Existing Context

The subject lands are located in the Bayfront Industrial Area. The subject lands are designated "Industrial Land" on Schedule E-1 of the UHOP. Surrounding lands to the north and west are also designated "Industrial". To the south and east, lands are designated Neighbourhoods.

The lands are currently occupied by a vacant building, formerly used for light industrial purposes. The building has been vacant for approximately 20 years. Surrounding uses include light industrial uses directly to the north, with the CN rail line further north and Dofasco on the north side of the rail line. A new light industrial building is proposed on the vacant lot to the north of the subject lands. To the west there is a mix of residential and light industrial uses. To the east and south are residential neighbourhoods. The size of the parcel is 0.5 ha.

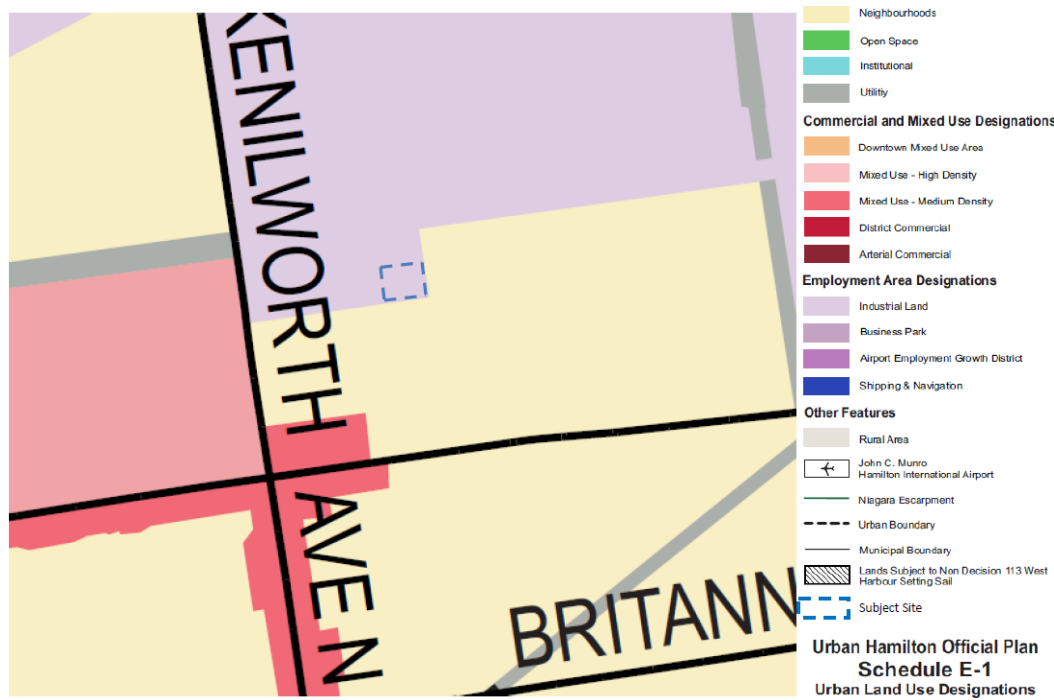


Figure 17- Land use designations for 85 Division Street and 77 – 79 Merchison Avenue

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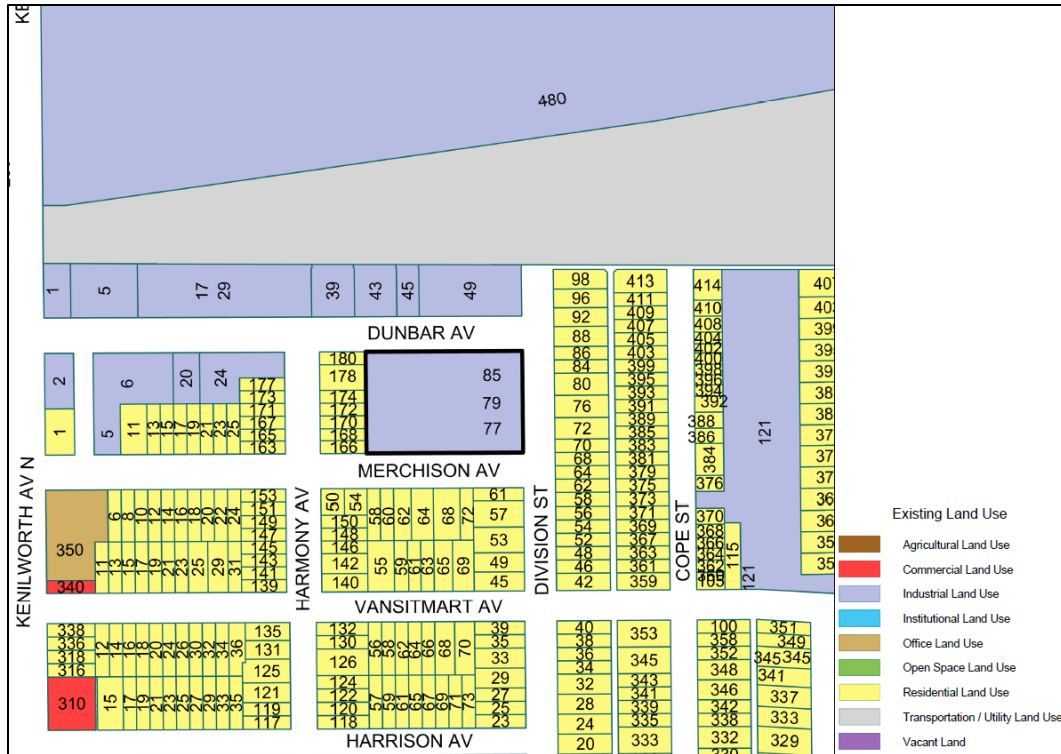


Figure 18 – Land uses for 85 Division Street and 77 – 79 Merchison Avenue



Figure 19 – Zoning for 85 Division Street and 77 – 79 Merchison Avenue

Applicant’s Proposed Conversion, Proposed Land Use, and Rationale

The applicant proposes conversion of the property to allow for residential development. The applicant cites the residential uses existing on three sides of the property as a limiting factor in the type of employment uses that can locate on the lands. Further, the applicant notes that they have actively marketed the property for many years without success. The applicant has submitted a Planning Justification Report and Noise Impact Study to support the conversion request.

Analysis and Application of Criteria

The proposed development will require the conversion of the subject lands from Employment Area to a Neighbourhoods designation. Table 12 identifies how the proposed conversion performs against the Provincial conversion criteria, as outlined in Policy 2.2.5.9 of the Growth Plan. Table 13 identifies how the proposed conversion performs against City’s conversion criteria.

Table 13 - Analysis of 85 Division Street and 77 – 79 Merchison Avenue Using Provincial Conversion Criteria

Conversion Criteria	Analysis	Conversion Criteria Met?
There is a need for conversion	Staff are satisfied that a need for conversion has been demonstrated due to site specific circumstances. The site is surrounded on three sides by residential uses which is a limiting factor in redevelopment of the site for industrial uses. The existing building has been vacant for more than 20 years and damaged by fire. Conversion of the site is needed to permit residential development which would allow for site clean up and remediation, resulting in an overall benefit to the neighbourhood.	Yes
The lands are not required over the horizon of this Plan for the employment purposes for which they are designated	While the City has not yet completed the Land Needs Assessment to the year 2041, conversion of this parcel will not have a significant effect on overall land need due to the small size of the parcel.	Yes
The municipality will maintain sufficient	Through the completion of the Land Needs Assessment as part of the MCR, the City	Neutral

Conversion Criteria	Analysis	Conversion Criteria Met?
employment lands to accommodate forecasted employment growth to the horizon of the plan	will plan for employment land need to accommodate forecasted growth.	
The proposed uses would not adversely affect the overall viability of the employment area or prime employment area or the achievement of the minimum intensification and density targets in this Plan, as well as the other policies of this Plan	<p>The proposed residential development could potentially adversely affect adjacent industry, but not the entirety of the employment area.</p> <p>Staff note there is already a significant amount of existing residential development in proximity to the existing industrial uses, so it is unlikely that additional residential development would have a significant effect on the viability of the existing uses. However, introducing residential uses on the subject lands would result in sensitive uses being brought closer to the light industrial business at 45 Dunbar Ave by approximately 7 metres. To ensure protection of the existing businesses on the north side of Dunbar Ave, staff recommend the lands be placed in a special policy area requiring the completion of detailed noise study, including demonstration of building design shielding sensitive living areas from the Dunbar Street frontage, prior to site development.</p>	Yes, provided future dwelling units are designed to shield sensitive living areas from the Dunbar Street frontage. A detailed noise study will be required prior to site development.
There are existing or planned infrastructure and public service facilities to accommodate the proposed uses	Yes – within existing urbanized/developed area.	Yes

Table 14 - Analysis of 85 Division Street and 77 – 79 Merchison Avenue Using City Conversion Criteria

Conversion Criteria	Analysis	Conversion Criteria Met?
Site(s) are within an area that contains a mix of uses and located along the edges of employment areas.	The area is located on the edge of the Bayfront Industrial Area, with two sides adjoining non-employment uses (Neighbourhoods to the south and east). The surrounding lands within the vicinity contain a mix of industrial, commercial and residential uses.	Yes
Conversion will not adversely affect the long-term viability and function of the employment areas.	The conversion will not affect the employment area as a whole, as the subject parcel is small in size and located in such an area that it would not result in the isolation or separation of other employment uses.	Yes
Conversion will not negatively affect the long-term viability of existing employment uses, including large, stand-alone facilities.	Staff note that there is already a significant amount of existing residential development in proximity to the existing industrial uses, so it is unlikely that additional residential development would have a significant effect on the viability of the existing uses. However, introducing residential uses on the subject lands would result in sensitive uses being brought closer to the light industrial business at 45 Dunbar Ave by approximately 7 metres. To ensure protection of the existing businesses on the north side of Dunbar Ave, staff recommend that the lands be placed in a special policy area requiring the completion of detailed noise study, including demonstration of building design shielding sensitive living areas from the Dunbar Street frontage, prior to site development.	Yes, provided future dwelling units are designed to shield sensitive living areas from the Dunbar Street frontage. A detailed noise study will be required prior to site development.
Conversion will not compromise any other planning policy objectives of the City, including	The applicant is not proposing the addition of any commercial land uses as part of the proposal.	Yes

Conversion Criteria	Analysis	Conversion Criteria Met?
planned commercial functions.		
Conversion will not create incompatible land uses, including a consideration of MOECC Land Use Compatibility Guidelines.	There is already extensive residential development within the area. The subject lands are surrounded on three sides by residential dwellings. A detailed noise study will be required prior to site development to ensure potential adverse effects are addressed.	Yes, provided a detailed noise study will be required prior to site development.
Conversion will be beneficial to the community through its contribution to the overall intent and goals of the City's policies and demands on servicing and infrastructure.	Introduction of residential uses would fit well with existing neighbourhood fabric. The site is surrounded on three sides by residential uses and has been sitting vacant for many years.	Yes
Conversion will result in a more logical land use boundary.	Conversion of the lands would not result in a more logical boundary, but would also not create a boundary that is a concern. The impact would be neutral. However, to avoid splitting a block with dual designations, staff recommend that the existing 7 dwellings at 166 – 180 Harmony Avenue, which share the same block as the subject lands, also be redesignated to Neighbourhoods in recognition of the existing uses.	Neutral

Recommendation

Staff recommend conversion of the subject lands at 85 Division Street and 77 – 79 Merchison Avenue to the Neighbourhoods designation. The subject property is surrounded on three sides by residential uses. The land use pattern in the immediate vicinity has remained stable and there has been no change in the surrounding residential uses to industrial uses over time. The redesignation of the subject lands would therefore increase compatibility with the surrounding residential uses.

Staff note there are existing active industrial uses on the north side of Dunbar Avenue, however these uses are already impacted by existing sensitive land uses in the vicinity.

The introduction of additional residential uses on the subject lands would bring sensitive uses closer to one existing business (45 Dunbar Ave) by approximately 7 metres. The applicant submitted a noise impact study which concluded that there are no noise issues arising from the existing industrial uses in the vicinity, and that any noise concerns arising from surrounding road and rail traffic can be addressed through proper building construction and noise warning clauses registered on title.

To ensure that the long term future operational viability of the businesses will not be impacted by the introduction of additional residential uses in the vicinity, staff recommend placing the subject lands in a site specific policy area which will require the submission of a detailed noise control study prior to development. In addition, building design to shield sensitive living areas from the Dunbar Avenue frontage will also be required. It is also recommended that the subject lands be deemed to be a Class 4 area under the Ministry of Environment, NPC-300 noise guideline. A Class 4 noise area classification allows for higher daytime and night-time sound level limits than would otherwise be permitted in relation to a noise sensitive land use such as residential dwellings. The impact of the higher levels is mitigated by specified noise control measures. The updated noise study will need to address the Class 4 sound levels and building requirements. A council resolution deeming the lands to be Class 4 will be required.

Staff also recommend the redesignation of the seven residential parcels directly west of the subject lands to the Neighbourhoods designation to create a clean boundary and recognize the existing uses.

4.0 SUMMARY AND CONCLUSIONS

Staff have completed a review of the requests for conversion received as part of the Employment Land Review. Of the requests submitted, eight did not pass criteria 1 and were not further evaluated for conversion potential. Two sites are being deferred for consideration to a later phase of the MCR as part of the review of growth options. Six sites passed criteria 1 and were further evaluated as part of this Report. Of these six sites, the following site satisfied all criteria and is being recommended for conversion:

- 85 Division Street and 77 – 79 Merchison Avenue in the Bayfront Industrial Area (together with the adjacent existing dwellings at 166 – 180 Harmony Avenue) is being recommended for conversion to Neighbourhoods, with a site specific policy area requiring approval of a detailed noise control study and special building design to shield sensitive living space from adjacent industrial uses prior to development. A Class 4 noise area classification is also recommended.



Hamilton

OPEN FOR BUSINESS SUB-COMMITTEE

REPORT 19-003

Monday, October 21, 2019

9:30 a.m.

Council Chambers, 2nd Floor

Hamilton City Hall

Present: Mayor Eisenberger, Councillor M. Pearson (Chair)
Councillor J. Farr (Vice-Chair), J. P. Danko, L. Ferguson
J. Partridge, A. VanderBeek and T. Whitehead

**Absent with
Regrets:** Councillors J. Farr and T. Whitehead – Personal

**Also in
attendance:** Rachel Braithwaite, BIA Advisory Committee
Ed Fothergill, Hamilton Chamber of Commerce
Patti Hall, Stoney Creek Chamber of Commerce
Kirsten Jensen, Hamilton-Halton Home Builders' Association
Matteo Patricelli, Flamborough Chamber of Commerce
Kyle Slote, Hamilton Burlington Society of Architects

THE OPEN FOR BUSINESS SUB-COMMITTEE PRESENTS REPORT 19-003 AND RESPECTFULLY RECOMMENDS:

**1. Continuous Improvements Process Review - Financial Incentive
Program Metrics - Case Study No. 28 (Item 7.2)**

That the Continuous Improvements Process Review - Financial Incentive Program Metrics - Case Study No. 28, be received.

**2. Responding to Increased Demand & Growth in Film Sector to Increase
Economic Impacts & Implement Continuous Improvements - Case Study
No. 27 (Added Item 9.2)**

That Case Study No. 27, Responding to Increased Demand & Growth in Film Sector to Increase Economic Impacts & Implement Continuous Improvements, be amended to add the sub-sections (b) and (c) to read as follows:

General Issues Committee – November 20, 2019

- (a) That Case Study No. 27, Responding to Increased Demand & Growth in Film Sector to Increase Economic Impacts & Implement Continuous Improvements, be received;
- (b) That staff be directed to report back to the Open for Business Sub-Committee respecting the gross and net financial benefit to the City of Hamilton and the Film Office; and,
- (c) That staff be directed to provide an annual report respecting the gross and net financial benefit for the City of Hamilton to the Film Office to the General Issues Committee, for their information.

FOR INFORMATION:

(a) CHANGES TO THE AGENDA (Item 2)

The Clerk advised the committee of the following changes to the agenda:

9. STAFF PRESENTATION (Item 9)

- 9.2 Responding to Increased Demand & Growth in Film Sector to Increase Economic Impacts & Implement Continuous Improvements - Case Study No. 27

Note that Item 7.1 Responding to Increased Demand & Growth in Film Sector to Increase Economic Impacts & Implement Continuous Improvements - Case Study No. 27 is a staff presentation and should be located under Staff Presentations as Item 9.2.

The agenda for the October 21, 2019 meeting was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 3)

None.

(c) **APPROVAL OF MINUTES (Item 4)**

(i) **June 10, 2019 (Item 4.1)**

The Minutes of the June 10, 2019 meeting were received, as presented.

(d) **STAFF PRESENTATION (Item 9)**

(i) **Growth Management - Electronic Engineering review process (Item 9.1)**

Binu Korah, addressed the committee respecting the Growth Management - Electronic Engineering review process, with the aid of a PowerPoint presentation.

The presentation respecting the Growth Management - Electronic Engineering review process, be received.

The presentation is available on the City's website at www.hamilton.ca, or through the Office of the City Clerk.

(ii) **Responding to Increased Demand & Growth in Film Sector to Increase Economic Impacts & Implement Continuous Improvements - Case Study No. 27 (Added Item 9.2)**

Debbie Spence and Kim Adrovez, addressed the committee respecting the Responding to Increased Demand & Growth in Film Sector to Increase Economic Impacts & Implement Continuous Improvements - Case Study No. 27, with the aid of a PowerPoint presentation.

Case Study No. 27, Responding to Increased Demand & Growth in Film Sector to Increase Economic Impacts & Implement Continuous Improvements, was amended to add the sub-sections (b) and (c) to read as follows:

- (a) That Case Study No. 27, Responding to Increased Demand & Growth in Film Sector to Increase Economic Impacts & Implement Continuous Improvements, be received;
- (b) ***That staff be directed to report back to Open For Business Sub-Committee respecting the gross and net financial benefit to the City of Hamilton and the Film Office; and***
- (c) ***That staff be directed to provide an annual report respecting the gross and net financial benefit for the City of Hamilton to the Film Office to the General Issues Committee, for their information.***

That the presentation respecting the Responding to Increased Demand & Growth in Film Sector to Increase Economic Impacts & Implement Continuous Improvements - Case Study No. 27, be received.

The presentation is available on the City's website at www.hamilton.ca, or through the Office of the City Clerk.

(e) ADJOURNMENT (Item 15)

There being no further business, the meeting of the Open For Business Sub-Committee adjourned at 11:12 a.m.

Respectfully submitted,

Councillor M. Pearson, Chair
Open for Business Sub-Committee

Loren Kolar
Legislative Coordinator
Office of the City Clerk

CITY OF HAMILTON

NOTICE OF MOTION

General Issues Committee: November 20, 2019

MOVED BY COUNCILLOR S. MERULLA.....

Support of Private Member's Bill to Reverse Pit Bull Ban in Ontario

WHEREAS, the Province of Ontario banned the ownership of Pit Bulls in 2005;

WHEREAS, opponents of this ban believe this "breed-specific legislation" does not address the root cause of vicious dogs, which is often attributed to the handler or owner of the dog; and,

WHEREAS, a Private Member's Bill introduced into the Ontario Legislature is seeking to reverse the Provincial ban of Pit Bulls.

THEREFORE, BE IT RESOLVED:

- (a) That the Mayor correspond with the Province of Ontario to advise of the City of Hamilton's support the Private Member's Bill for the reversal of the Pit Bull ban and changes to the *Dog Owners' Liability Act*; and,
- (b) That Licensing and By-law Services Division be directed to review the feasibility of changes to the Responsible Animal Ownership By-law 12-031 to include professional obedience training for dogs, with the participation of the dog's owner and the feasibility of reduced licensing fees for large working dogs (i.e. Rottweilers and Pit Bulls) to mitigate public safety concerns and report back to the Planning Committee.